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No. 21] NEW DELHI, SATURDAY, MAY 22, 1976/JYAISTHA 1, 1898

इस भाग में विली पृष्ठ संख्या वी जाती है जिससे कि यह भाग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(राजा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य सेक्रेटरी प्रशासनों को छोड़कर)

केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सार्विक वारेंग और प्रधिसूचनाएं

Statutory orders and notifications issued by the Ministers of the Government of India

(other than the Ministry of Defence) by Central Authorities

(other than the Administrations of Union Territories)

MINISTRY OF FINANCE
(Department of Economic Affairs)

CORRIGENDUM

New Delhi, the 26th April, 1976

INSURANCE

S.O. 1676.—In the General Insurance (Rationalsation and Revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Second Amendment Scheme, 1974 published as S.O. 5415 dated 22-12-1975 appearing at pp 4422-23 in Part II Section 3, Sub-Section (ii) of the Gazette of India dated 27-12-1975 in the heading of paragraph 13A as inserted, for the word "acquired" the word "accrued" shall be substituted.

[F. No. 65(8)Ins. III/15A/74]

R. D. KHANWALKAR, Under Secy.

वित्त मंत्रालय

(राज्य प्रांत व्यापा विभाग)

मई दिल्ली, 8 मार्च 1976

प्राप्ति-कर

S.O. 1677.—प्रबंधनाधारण की जातकारी के लिए यह प्रधिसूचित किया जाता है कि निम्नशिवित सम्भा को विहित प्राधिकारी, भारतीय चिकित्सा अनुसंधान परिषद् द्वारा प्राप्ति-कर अधिनियम, 1961 की द्वारा 35 की उपधारा (j) के खंड (ii) के प्रयोजनार्थ केवल अनुसंधान के प्रयोजन के लिए अनुमोदित किया गया है।

मंत्रालय, अपने अनुसंधान कियाकलापों की वाक्स वापिक रिपोर्ट और विवरणीय मार्त्तीय चिकित्सा अनुसंधान परिषद् को प्रस्तुत करेगा।

संस्था

गोरे—काशीर, नेशनल मेडिकल इन्स्टीट्यूट ट्रस्ट, भीनगर,

यह प्रधिसूचना, इस प्रधिसूचना की तारीख से दो वर्ष की प्रवधि के लिए प्रभावी है।

[सं. 1249 (फा. स. 203/34/76-प्राई. ०८०-०८०-II)]

टी० पी० शुनशुनवाला, उप-मन्त्रिका

(Department of Revenue and Insurance)

New Delhi, the 8th March, 1976

INCOME TAX

S.O. 1677.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, for research purposes only. The Institute will submit annual reports and returns about its research activities to the Indian Council of Medical Research.

INSTITUTION

Sher-I-Kashmir National Medical Institute Trust, Srinagar

This notification is effective for a period of two years from the date of this notification.

[No. 1249 (F. No. 203/34/76-ITA.II)]

T. P. JHUNJHUNWALA, Dy. Secy.

राजस्व श्रीर बैंककारी विभाग

नई दिल्ली, 28 मार्च 1976

आय-कर

का० आ० 1678.—केन्द्रीय सरकार, आय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 80ज की उपधारा 2(ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कंजीरापल्ली श्री गणपतियार किंगोल और सास्था किंगोल कंजीरापल्ली कट्टायम जिला, केरल राज्य का उक्त धारा के प्रयोजनों के लिए केरल राज्य में सर्वत्र विष्यात लोक पूजा का स्थान प्रधिसूचित करती है।

[म० 1264 (का० स० 176/18/76-आई०टी० ए० १)]

(Department of Revenue & Banking)

New Delhi, the 28th March, 1976

(INCOME-TAX)

S.O. 1678.—In exercise of the powers conferred by sub-section (2)(B) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies the Kanchirappalli Sri Ganapathiar Koil and Sastha Koil, Kanchirappalli, Kottayam District, Kerala State to be a place of public worship of renown throughout the State of Kerala for the purposes of the said section.

[No. 1264 (F. No. 176/18/76-IT/AI)]

का० आ० 1679.—केन्द्रीय सरकार, आय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 80ज की उपधारा 2(ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री सामेय शिखरती तीर्थ, पारसनाथ को उक्त धारा के प्रयोजनों के लिए बिहार राज्य में सर्वत्र लोक पूजा का स्थान प्रधिसूचित करती है।

[म० 1265(का० स० 176/84/75-आई०टी० ए० १)]

S.O. 1679.—In exercise of the powers conferred by sub-section (2) (b) of Section 80G of the Income-Tax Act, 1961 (43 of 1961) the Central Government hereby notifies Shree Samed Shikharjee Tirath, Parasnath to be a place of public worship of renown throughout the State of Bihar for purposes of the said section.

[No. 1265 (F. No. 176/84/75-IT/AI)]

का० आ० 1680.—केन्द्रीय सरकार, आय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 80ज की उपधारा 2(ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अरुणमिंगू लक्ष्मीनरसिम्हप्रसादी देवस्थानम्, खेतपुर, उत्तरी आर्काट जिला को उक्त धारा के प्रयोजनों के लिए तमिलनाडु में सर्वत्र विष्यात लोक पूजा का स्थान प्रधिसूचित करती है।

[म० 1266(का० स० 176/20/76-आई०टी० ए० १)]

एम शास्त्री, अवर सचिव

S.O. 1680.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies Arulmigu Lakshminarasimhaswamy Devasthanam Sholinghur, North Arcot District to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said section.

[No. 1266 (F No. 176/20/76-IT/AI)]

M. SHASTRI, Under Secy.

(बैंकिंग विभाग)

नई दिल्ली, 21 अप्रैल, 1976

का० आ० 1681.—भारतीय स्टेट बैंक प्रधिनियम, 1955 (1955 का 23) की धारा 35 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, रिजर्व बैंक की मलाह पर, एतद्वारा भारतीय स्टेट बैंक को 19 अप्रैल, 1977 से 18 अप्रैल, 1978 तक (दोनों दिन शामिल है) एक वर्ष की आगामी प्रधिकार के लिए, उपर्युक्त प्रधिनियम की धारा 34 की उपधारा (1) के गण्ड (क) और (ग) के उपबन्धों में उम सीमा तक छूट प्रदान करती है जहां तक कि वे भारतीय स्टेट बैंक को निम्नलिखित से नियमित करते हैं अर्थात्—

- (i) केन्द्रीय सरकार के 1974 के एक आदेश द्वारा उपर्युक्त धारा 35 की उपधारा (2) के अन्तर्गत स्वीकृत भारतीय स्टेट बैंक द्वारा 'दी कृष्णराम बलदेव बैंक लिमिटेड' के कारोबार के प्रधिग्रहण की धर्ती और निवन्धनों के अनुसार 'दी कृष्णराम बलदेव बैंक लिमिटेड' द्वारा अचल सम्पत्ति को जमानत पर दिये गये और भारतीय स्टेट बैंक द्वारा प्रधिगृहीत अधिमों को जारी रखना प्रथमा बसूल करना; और
- (ii) जिस अचल सम्पत्ति की जमानत पर, उपर्युक्त अधिम दिये गये हैं, एसे और अधिम देना जिन्हें भारतीय स्टेट बैंक 'दी कृष्णराम बलदेव बैंक लिमिटेड' द्वारा दिये गये अधिमों की बसूली सुनिश्चित करने अथवा उसे सुविधाजनक बनाने के लिये आवश्यक या उपर्युक्त समझे और एसे आगामी अधिमों को बसूल करना।

[स० 17(6)-बी० आ० III 76]

म० आ० उमगांवकर, अवर सचिव

(Banking Wing)

New Delhi, the 21st April, 1976

S.O. 1681.—In exercise of the powers conferred by sub-section (7) of section 35 of the State Bank of India Act, 1955 (23 of 1955), the Central Government, in consultation with the Reserve Bank, hereby exempts the State Bank of India for a further period of one year from 19th April, 1977 to the 18th April, 1978 both days inclusive, from the provisions of clauses (A) and (C) of sub-section (1) of section 34 of the said Act, in so far as they preclude the State Bank of India from—

- (i) continuing or realising the advances against the security of immovable property made by the Krishnaram Baldeo Bank Ltd., and taken over by the State Bank of India under the terms and conditions of acquisition by the State Bank of India of the business of the Krishnaram Baldeo Bank Ltd., sanctioned under sub-section (2) of the said section 35 by the Central Government by an order of 1974; and

(ii) making against the security of immovable property against which the advances referred to above have been made, such further advances as the State Bank of India may consider necessary or expedient for ensuring or facilitating the recovery of the advances made by the Krishnaram Baldeo Bank Ltd., and realising such further advances.

[No. 17(6)-B. O. III/76]

M. B USGAONKAR, Under Secy.

नई विली, 5 मई, 1976

का० आ० 1682.—राज्य वित्तीय मिशन अधिनियम, 1951 (1951 का 63) की धारा 46 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार गतद्वारा यह निर्देश देती है कि —

(क) उस प्रधिनियम की धारा 4 के उपबन्ध समिलनाडु हस्तियल हन्डेस्टैंट कार्पोरेशन लिमिटेड, मद्रास पर लागू होगे, और

(ख) कम्पनी प्रधिनियम, 1956 (1956 का 1) की धारा 81, 88 और 207 के उपबन्ध का कार्यकालन, जो उक्त नियम द्वारा जारी किये गये विशेष वर्ग के शेयरों के जारी होने के बारे में पाकड़ी से संबंधित है, निलम्बित रखा जाएगा।

[संख्या एफ० 11-50/75-प्राई० एफ० II]

श्रीमती नलिनी एम० के० मेनन, उप सचिव

New Delhi, the 5th May, 1976

S.O. 1682.—In exercise of the powers conferred by section 46 of the State Financial Corporation Act, 1951 (63 of 1951) the Central Government hereby directs that—

(a) the provisions of section 4A of the said Act shall apply to the Tamil Nadu Industrial Investment Corporation Limited, Madras; and

(b) the operation of the provisions of sections 81, 88 and 207 of the Companies Act, 1956 (I of 1956) relating to the restrictions in regard to the issue of special class of shares by the said Corporation shall be suspended.

[F. No. 11-50/75-IF.II]

MRS NALINI M. K. MENON, Dy. Secy.

व्याप क्रिया

(रक्षा प्रभाग)

नई विली, 22 मिनम्बर, 1975

का० आ० 1683.—राज्यपति, संविधान के अनुच्छेद के 309 परन्तुक द्वारा प्रदत्त शक्तियों और इस नियम उन्हें समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, मिशन सेवा विनियम में और संशोधन करने के लिए निम्नलिखित विनियम बनाते हैं, अर्थात्—

1. (1) इन विनियमों का नाम मिशन सेवा (केन्द्रीय संशोधन) विनियम, 1975 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगे।

2 सिविल सेवा विनियमों के अनुच्छेद 193 के स्थान पर निम्नलिखित अनुच्छेद रखा जाएगा, अर्थात्—

"193 (1) नियुक्ति प्राधिकारी के आवेदन द्वारा निलम्बनाधीन या निलम्बनाधीन समझा गया अधिकारी निम्नलिखित सदायों का हक्कार होगा, अर्थात्—

(क) उस रकम के समतुल्य निवाह भत्ता जो सरकारी कर्मचारी का अद्य भ्रातृता बेतन पर, फरली ऐसे छट्टी बेतन के आधार पर अथवा अद्य बेतन पर छट्टी पर रहने पर छट्टी बेतन के रूप में मिलती और उस के अनियन्त्र महंगाई भत्ता, यदि ऐसे छट्टी बेतन के आधार पर अनुज्ञेय हो।

परन्तु जहा निलम्बन की अवधि छह मास से अधिक है वहाँ— जिस प्राधिकारी ने निलम्बन का आवेदन किया है या जिसके द्वारा आवेदन किया गया समझा गया है, पहले छह मास की अवधि की प्रवृत्तवर्ती किसी अवधि के लिए निवाह भत्ते की राशि में निम्नानुसार केरफार करने के लिए सक्षम होगा—

(।) यदि उक्त प्राधिकारी की राशि में निलम्बन की अवधि ऐसे कारण से, जो लेबलद्वारा किए जाएंगे, दीर्घकालीन हो गई है, जिनके लिए प्रत्यक्षरूप से सरकारी सेवक ही उत्तरवाची माना जा सकता है, तो निवाह भत्ते की राशि में से उपयुक्त रकम जो पहले छह मास की अवधि के दौरान अनुज्ञेय भत्ते के 50 प्रतिशत से अधिक न हो, बढ़ा दी जाएगी;

(।।) यदि उक्त प्राधिकारी की राशि में, निलम्बन की अवधि ऐसे कारणों से, जो लेबलद्वारा किए जाएंगे, दीर्घकालीन हो गई है, जिनके लिए प्रत्यक्षरूप से सरकारी सेवक ही उत्तरवाची माना जा सकता है, तो निवाह भत्ते की राशि में से उपयुक्त रकम जो पहले छह मास की अवधि के दौरान अनुज्ञेय भत्ते के 50 प्रतिशत से अधिक न हो, बढ़ा दी जाएगी

परन्तु सम्बन्धित सरकारी सेवक को प्रस्तावित कर्तृती के बिलद्वारा प्रपत्ता अभिवेदन देने का प्रवधसर दिए जाने के पश्चात् और उसके द्वारा प्रस्तुत अभिवेदन पर, यदि कोई हाल विचार करने के पश्चात् के मिश्रण, इस घण्टे के अधीन कोई आवेदन नहीं किया जाएगा, और पैरा (।) या पैरा (।।) के अधीन आवेदन किया जाने की स्थिति में, महंगाई भत्ते की दरे ऐसे आवेदन के अधीन अनुज्ञेय निवाह भत्ते को, यथास्थिति, बढ़ी हूँ या घटा हूँ रकम पर आधारित होगा।

(।।।) उस बेतन के आधार पर, जो सरकारी सेवक, उस सारीब की प्राप्त कर रहा है जिसको उसे निलम्बित किया जाता है या निलम्बनाधीन किया गया समझा जाता है, समय-समय पर सरकारी सेवक को अनुज्ञेय अन्य कोई प्रतिकरान्तक भत्ता, जो ऐसा भत्ता प्राप्त करने के लिए अधिकायित अन्य भातों को पूरा करने के अधीन होगा।

(।।।।) घण्ट (।) के अधीन तब तक कोई सवाय नहीं किया जाएगा जब तक सरकारी सेवक इस आवधि की घासणा प्रस्तुत नहीं करता कि उसने ऐसी अवधि के दौरान, कार्य अन्य रोजगार, कारबार, बृति या व्यवसाय नहीं किया है।

परन्तु पदब्युत किए गए, हटाए गए या अनिवार्यत सेवानिवृत्त किए गए ऐसे सरकारी सेवक की दशा में, जिसे केन्द्रीय सिविल सेवा वर्गिकरण,

निवास और अपील) नियम, 1965 के नियम 10 के उपनियम (3) या उपनियम (4) के अधीन ऐसी पदच्युति या हटाए जाने या अनिवार्य सेवा-निवृति की तारीख से निलम्बनाधीन रखा गया समझा गया है या जो निलम्बनाधीन बना रहा है और जिसने ऐसी प्रवधि या प्रवधियों के द्वारा, जब उसे निलम्बनाधीन रखा गया समझा गया है या निलम्बनाधीन बना रहा है, उसने कोई अन्य रोजगार, कारबाह, वृति या व्यवसाय किया है तो वह उस रकम के बाबाबर निर्वाह भत्ता और अन्य भत्तों का हकदार होगा, जिससे यथास्थिति, ऐसी प्रवधि या प्रवधियों के दौरान ऐसे रोजगार, कारबाह, वृति या व्यवसाय से उसकी आय उस निर्वाह भत्ते और अन्य भत्तों से कम छहरती है जो उसे अप्प (1) के अधीन अनुज्ञा अनुमति होता और जहाँ उसे अनुज्ञा निर्वाह भत्ता और अन्य भत्ते, उसके द्वारा अंजित रकम के बराबर हैं या उससे कम है तो इस परन्तुक में की कोई भी बात उसे लागू नहीं होगी।

3. (क) जब कोई सरकारी सेवक, जिसे पदच्युत किया गया हो, हटाया गया हो या अनिवार्य रूप से सेवा निवृत्ति किया गया हो, अपील या पुनर्विलोकन के परिणामस्वरूप बहाल कर दिया जाता है या बहाल कर दिया जाता यदि वह पदच्युति किए जाने, हटाए जाने या अनिवार्य रूप से सेवा-निवृत्ति के पूर्व निलम्बनाधीन रहने के द्वारा अधिवितित पर सेवा-निवृत्ति न हो गया होता, तो उसकी बहाली का आवेदन देने वाला सक्षम प्राधिकारी निम्नलिखित के बारे में विचार करेगा और विनिर्दिष्ट आदेश देगा:—

(i) सरकारी सेवक को, कर्तव्य से उपकी अनुपस्थिति की प्रवधि के लिए, जिसमें यथास्थिति उसकी पदच्युति, हटाए जाने या अनिवार्य रूप से सेवा निवृत्ति से पहले की निलम्बन की प्रवधि भी आती है, इसे जाने वाला बेतम और भत्ते,

(ii) उक्त प्रवधि, कर्तव्य पर अवृत्ति को गई प्रवधि मानी जाएगी या नहीं।

(ख) जहाँ बहाली का आवेदन करने के लिए सक्षम प्राधिकारी की यह राय है कि कोई सरकारी सेवक, जिसे पदच्युत कर दिया गया, हटा दिया गया या अनिवार्य रूप से सेवा-निवृत्ति कर दिया गया, पूर्णतया बिमुक्त कर दिया गया है, वहाँ सरकारी सेवक को, उपच्छण्ड (ब) के उपबन्धों के अधीन रहते हुए, उतने पूरे बेतन और भत्तों का सदाय किया जाएगा, जिनका वह हकदार होता यदि वह, यथास्थिति पदच्युत नहीं किया गया होता, हटाया नहीं गया होता या अनिवार्य रूप से सेवा निवृत्ति नहीं किया गया होता, अथवा यथास्थिति ऐसी पदच्युति, हटाए जाने या अनिवार्य रूप से सेवा निवृत्ति से पहले निलम्बित नहीं किया गया होता।

परन्तु जहाँ ऐसे प्राधिकारी की यह राय है कि सरकारी सेवक के विश्व संस्थान की गई कार्यवाहियों की समाप्ति में विलम्ब ऐसे कारण से हुआ था जिनके लिए सरकारी सेवक ही प्रत्यक्ष रूप से उत्तरदायी है, सो वह उसे अभिवेदन करने का प्रवसर देने के पश्चात् और उसके द्वारा किए गए अभिवेदन पर, यदि कोई दिया गया हो, विचार करने के पश्चात्, ऐसे कारणों से, जो लेखबद्ध किए जाएंगे, यह निवेश कर सकता है कि सरकारी सेवक को, उपच्छण्ड (छ) के उपबन्धों के अधीन रहते हुए, ऐसे विलम्ब की प्रवधि के लिए, ऐसे बेतन और भत्तों की अनुपात रकम का, जिसनी वह प्रवधारित करे, सदाय किया जाए।

(ग) उपच्छण्ड (छ) के अधीन आने वाले मामले में, कर्तव्य से अनुपस्थिति की प्रवधि, जिसमें यथास्थिति, पदच्युति हटाए जाने या अनिवार्य रूप से सेवा-निवृत्ति से पूर्ववर्ती निलम्बन की प्रवधि, भी आती है, सभी प्रयोजनों के लिए कर्तव्य पर अवृत्ति की गई प्रवधि मानी जाएगी।

(घ) उपच्छण्ड (छ) के अधीन आने वाले मामलों से भिन्न मामलों में (जिनमें ऐसे मामले भी आते हैं, जिनमें सेवा से पदच्युति, हटाए जाने या अनिवार्य रूप से सेवा निवृत्ति का आदेश, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के उपबन्धों का अनुपात न किए जाने वाले के आधार पर अपील या पुनर्विलोकन प्राधिकारी द्वारा अपास्त किया जाता है तथा और कोई जांच कराना प्रस्थापित नहीं है, सरकारी सेवक को, उपच्छण्ड (छ) और (छ) के उपबन्धों के अधीन रहते हुए, ऐसे पूरे बेतन और भत्तों की, जिनका वह हकदार, होता, यदि वह, यथास्थिति, पदच्युत नहीं होता, हटाया नहीं गया होता या अपेक्षित नहीं किया गया होता, अनुपात उत्तीर्ण का सदाय किया जाएगा जिनमा बहाली का आवेदन करने के लिए सक्षम प्राधिकारी, सरकारी सेवक को प्रस्थापित माना के बारे में सूचना देने के पश्चात् और ऐसी प्रवधि के भीतर जो सूचना में विनिर्दिष्ट की जाए, उम सम्बन्ध में उसके द्वारा प्रस्तुत अभिवेदन पर, यदि कोई हो, विचार करने के पश्चात् भवधारित करे।

परन्तु सरकारी सेवक को इस उपच्छण्ड के अधीन कोई सदाय, यथास्थिति, उम सारीख से ठीक पहले, जिसको अपील प्राधिकारी या पुनर्विलोकन प्राधिकारी द्वारा सरकारी सेवक के बहाली के लिए आवेदन पारित किए जाते हैं या ऐसे सरकारी सेवक की अधिवितित पर निवृत्ति की तारीख से ठीक पहले तीन वर्ष की प्रवधि तक निवैधित होगा।

(ङ) उपच्छण्ड (घ) के अधीन प्राने वाले मामलों में, कर्तव्य से अनुपस्थिति की प्रवधि, जिसमें, यथास्थिति, उसकी पदच्युति, हटाए जाने या अनिवार्य रूप से सेवा-निवृत्ति से पूर्व की प्रवधि भी आती है, कर्तव्य पर अवृत्ति की गई प्रवधि तक तक नहीं मानी जाएगी, जब तक सक्षम प्राधिकारी विनिर्दिष्ट रूप से यह निवेश न करे कि किसी विनिर्दिष्ट प्रयोग-जन के लिए वह इस प्रकार मानी जाएगी

परन्तु यदि सरकारी सेवक ऐसी बात करता है, ऐसा प्राधिकारी यह निवेश कर सकता है कि कर्तव्य से अनुपस्थिति की प्रवधि को, जिसमें यथास्थिति, पदच्युति, हटाए जाने या अनिवार्य रूप से सेवा-निवृत्ति से पूर्ववर्ती निलम्बन की प्रवधि भी आती है, सरकारी सेवक को शोध और अनुज्ञा किसी प्रकार की छट्टी में परिवर्तित कर दिया जाए।

स्पष्टीकरण—पूर्ववर्ती परन्तुके अधीन सक्षम प्राधिकारी द्वारा किया गया आदेश अल्पम द्वेष और निम्नलिखित के द्वारा जाने के लिए कोई उच्चतर मंजूरी आवश्यक नहीं होगी—

(i) अम्बायी सरकारी सेवक के मामले में तीन माम से प्रधिक की प्रवधि के लिए असाधारण छट्टी और,

(ii) स्थायी या स्थायीवत् सरकारी सेवक के मामले में पाच वर्ष से प्रधिक की किसी प्रकार की छट्टी।

(च) उपच्छण्ड (छ) या उपच्छण्ड (घ) के अधीन भत्तों का सदाय ऐसी सभी अन्य शर्तों के अधीन रहते हुए, होगा, जिनके अधीन ऐसे भत्ते अनुज्ञा दी जाएगी।

(छ) उपच्छण्ड (छ) के परन्तुके या उपच्छण्ड (घ) के अधीन अवधारित पूरे बेतन और भत्तों की रकम अनुपात अप्प (1) के अधीन अनुज्ञा निर्वाह भत्तों और अन्य भत्तों से कम नहीं होगी।

(ज) सरकारी सेवक को उसकी बहाली पर इस छपण के अधीन किया गया कोई सदाय, पदच्युति हटाए जाने या अनिवार्य रूप से सेवा-निवृत्ति की तारीख या यथास्थिति, ऐसी पदच्युति, हटाए जाने या अनिवार्य रूप से सेवा में पूर्व निलम्बन की कोई प्रवधि और बहाली की

तारीख से पूर्व की तारीख के बीच की प्रवधि के दौरान किसी रोजगार कारबार, बृत्त या व्यवसाय में नियोजन से उपार्जित की गई रकम के, यदि कोई हो, समायोजन के अधीन रहते हुए होगा और जहाँ इस खण्ड के अधीन अनुज्ञेय उपलब्धिया किसी ऐसे रोजगार कारबार वृत्त या व्यवसाय में नियोजन से ऐसी प्रवधि से दोगन उपार्जित रकम के बराबर या उससे कम है, वहाँ सरकारी सेवक को बोई मदाय नहीं किया जाएगा।

(५) (क) जहाँ सरकारी सेवक की पदच्युति, हटाया जाना या अनिवार्य रूप से सेवानिवृत्ति न्यायालय द्वारा अपास्त की जाती है, और परिणामस्वरूप सरकारी सेवक, कोई और जाति कराए बिना, बहाल किया जाता है, वहाँ ऐसे सरकारी सेवक को, कर्तव्य से अनुपस्थिति की प्रवधि इस संबंध में विद्यमान आदेशों के अनुसार विनियमित की जाएगी और सरकारी सेवक को न्यायालय के निदेशों के अधीन रहने हुए, यदि कोई हो, उपखण्ड (ख) या उपखण्ड (ग) के उपबन्धों के अनुसार बेतन और भत्तो का सदाय किया जाएगा।

(ख) (१) जहाँ सरकारी सेवक की पदच्युति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति को, ब्रेन्डिय सिविल सेवा (बर्गीनरण, नियतण और प्राप्ति) नियम, 1965 के उपबन्धों की अपेक्षाओं का अनुपालन न किए जाने मात्र के आधार पर किसी न्यायालय द्वारा अपास्त किया जाता है और जहाँ उस गुणागृह के आधार पर विमृक्त नहीं किया जाता है वहाँ सरकारी सेवक का खण्ड (३) के उपखण्ड (छ) के उपबन्धों के अधीन रहते हुए, उस पूरे बेतन और भत्तो की, जिसका वह हकदार होता यदि वह, पदच्युत नहीं किया जाता, हटाया नहीं जाता या अनिवार्य रूप से सेवानिवृत्त नहीं किया गया होता अथवा, यथास्थिति, ऐसी पदच्युति, हटाए जाने वा अनिवार्य रूप से सेवानिवृत्ति से पूर्व निलम्बित नहीं किया गया होता, अनुपास्त उतनी रकम का भुगतान किया जाएगा, जितनी सक्षम प्रशिकारी सरकारी सेवक को, प्रस्तापित माला के बारे में सूचना देने के पश्चात, और ऐसी प्रवधि के भीतर, जो सूचना में विविधिष्ट की जाए, उस संबंध में उसके द्वारा प्रस्तुत अभिवेदन पर, यदि कोई हो, विचार करने के पश्चात् प्रवधारित करे।

परन्तु सरकारी सेवक को, इस उपखण्ड के अधीन कोई सदाय, यथास्थिति, उस तारीख से जिसको न्यायालय ने निर्णय पारित किया था, या ऐसे सरकारी सेवक की अधिविधिता पर सेवानिवृत्ति की तारीख से ठीक पूर्वती तीन वर्षों की प्रवधि तक निर्बन्धित होगा।

(२) पैरा (१) के अधीन आने वाले मामले में, पदच्युति, हटाए जाने या अनिवार्य रूप से सेवा निवृत्ति की तारीख, जिसमें यथास्थिति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्वती निलम्बन की प्रवधि भी जाती है, और बहाली की तारीख, जिस में, यथास्थिति, ऐसी पदच्युति, हटाया जाना या अनिवार्य रूप से सेवानिवृत्ति से पूर्वती निलम्बन की प्रवधि, भी जाती है, और बहाली की तारीख से पूर्वती तारीख की अध्यवर्ती प्रवधि, सभी प्रयोजनों के लिए करत्य पर अवृत्ति की गई प्रवधि मानी जाएगी और उस पूरे बेतन और भत्तो का सदाय किया जाएगा जिसका वह हकदार होता, यदि वह, यथास्थिति, पदच्युत नहीं किया गया होता, हटाया नहीं गया होता या अनिवार्य रूप से सेवानिवृत्त नहीं किया गया होता अथवा, यथास्थिति, ऐसी पदच्युति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्व निलम्बित नहीं किया गया होता।

(ग) यदि सरकारी सेवक की पदच्युति, हटाया जाना या अनिवार्य रूप से सेवा निवृत्ति, मामले के गुणागृह के आधार पर न्यायालय द्वारा अपास्त की जाती है तो पदच्युति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति की तारीख, जिस में, यथास्थिति, ऐसी पदच्युति, हटाया जाना या अनिवार्य रूप से सेवानिवृत्ति से पूर्वती निलम्बन की प्रवधि, भी जाती है, और बहाली की तारीख से पूर्वती तारीख की अध्यवर्ती प्रवधि, सभी प्रयोजनों के लिए करत्य पर अवृत्ति की गई प्रवधि मानी जाएगी और उस पूरे बेतन और भत्तो का सदाय किया जाएगा, जिसका वह हकदार होता, यदि वह, यथास्थिति, पदच्युत नहीं किया गया होता, हटाया नहीं गया होता या अनिवार्य रूप से सेवानिवृत्त नहीं किया गया होता अथवा, यथास्थिति, ऐसी पदच्युति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्व निलम्बित नहीं किया गया होता।

(घ) उपखण्ड (ख) या उपखण्ड (ग) के अधीन भत्तो का मदाय ऐसी सभी अन्य जरूरी के अधीन रहते हुए होगा, जिनके अधीन ऐसे भत्ता अनुज्ञेय हैं।

(इ) सरकारी सेवक का उसकी बहाली पर इस खण्ड के अधीन किया गया काई मदाय, उस रकम के, यदि कोई हो समायोजन के अधीन रहते हुए होगा जो उसकी पदच्युति, हटाए जाने, या अनिवार्य रूप से सेवानिवृत्ति की तारीख में पूर्वती निलम्बन की तारीख और उसकी बहाली की तारीख से पूर्वती तारीख की प्रवधि के दौरान उसके द्वारा किसी अन्य रोजगार, कारबार, बृत्त या व्यवसाय में नियोजन से उपार्जित की है। और जहाँ इस खण्ड के अधीन अनुज्ञेय उपलब्धियाँ, ऐसे रोजगार, कारबार, बृत्त या व्यवसाय से ऐसी प्रवधि के दौरान उसके द्वारा उपार्जित रकम के बराबर हैं या उससे कम हैं, वहाँ सबधित सरकारी सेवक को बोई मदाय नहीं किया जाएगा।

5 (क) जब ऐसे सरकारी सेवक को, जो निलम्बित किया गया है, बहाल किया जाता है, या इस प्रकार बहाल कर दिया जाता यदि निलम्बनाधीन होने के समय उसको मृत्यु या उसकी अविवरिता पर निवृत्ति न हो जाती, तब बहालों का आवेदन करने के लिए सक्षम प्राधिकारी निलम्बिति के बारे में विचार करेगा और शिरिंशिट आदेश फरिगा —

(१) यथास्थिति, बहाली या उसकी मृत्यु या अधिवरिष्टि पर निवृत्ति की तारीख को समाप्त होने वाली निलम्बन अवधि के लिए सरकारी सेवक का दिए जाने वाले बेतन और भत्ते,

(२) उक्त प्रवधि करत्य पर व्यतीत की गई प्रवधि मानी जाएगी या नहीं।

(घ) खण्ड (१) में किसी बात के होने हुए भी, वहाँ निलम्बित सरकारी सेवक की मृत्यु, उसके विद्युत सम्बिति प्रनुशासनिक या न्यायालय काय-बाहियों के समाप्त होने से पहले ही हो जाती है, वहाँ निलम्बन की तारीख और मृत्यु की तारीख के बीच की प्रवधि सभी प्रयोजनों के लिए करत्य पर अवृत्ति की गई प्रवधि मानी जाएगी और पहले ही मंदस निवृत्ति भत्ते की बाबत ममायोजन के अधीन रहते हुए, उसके कुटम्ब को उस अवधि के लिए पूरे बेतन और भत्तो का सदाय किया जाएगा, जिसका वह हकदार होता होता यदि वह निलम्बित भत्ता किया गया होता।

(ग) जहाँ बहाली का आवेदन करने के लिए सक्षम प्राधिकारी की यह राय है कि निलम्बन पूर्ण अन्यायपूर्ण था, तो सरकारी सेवक का, उपखण्ड (४) के उपबन्धों के अधीन रहते हुए, ऐसे पूरे बेतन और भत्तो का सदाय किया जाएगा जिसका वह हकदार होता, यदि वह निलम्बित नहीं किया गया होता।

परन्तु जहाँ ऐसे प्राधिकारी की यह राय है कि सरकारी सेवक के विद्युत सम्बिति कायबाहियों की समाप्ति में विलम्ब ऐसे कारणों से हुआ था, जिनके लिए सरकारी सेवक प्रत्यक्ष रूप से उत्तरदायी हैं, तो वह उसे अभिवेदन करने का प्रवदर देने के भीतर उसके द्वारा प्रस्तुत अभिवेदन पर, यदि उसने कोई दिया हो, विचार करने के पश्चात् ऐसे कारणों से, जो निलम्ब किए जाएंगे, मिलेश कर सकता है कि सरकारी सेवक को, ऐसे विलम्ब की अवधि के लिए ऐसे बेतन और भत्ता की केवल अनुपालत उतनी रकम का जिसका वह प्रवदारण कर, संवाद किया जाए।

(घ) उपखण्ड (ग) के अधीन आने वाले मामलों में निलम्बन की प्रवधि, सभी प्रयोजनों के लिए करत्य पर व्यतीत की गई प्रवधि मानी जाएगी।

(इ) उपखण्ड (घ) और (ग) के अधीन आने वाले मामलों से भिन्न मामलों में सरकारी सेवक का उपखण्ड (ज) और (क) से उपबन्धा

के अधीन रहते हुए, उस पूरे वेतन और भत्तों की, जिसका वह इकावार होता, यदि वह निलम्बन नहीं किया गया होता, अनुपाततः उतनी रकम का संवाय किया जाएगा, जो सक्षम प्राधिकारी, सरकारी सेवक को प्रस्थापित मात्रा के आरे में सूचना देने और उतनी प्रबंधि के भीतर, जो मूल्यना में विनियोग की जाए, उस संबंध में उसके द्वारा प्रस्तुत किए गए प्रभिवेदन पर, यदि कोई हो, विचार करने के पश्चात् प्रबंधित करे।

(ध) जहां निलम्बन, अनुशासनिक या न्यायालय कार्यवाहियों के पूर्ण होने के पूर्व प्रतिस्थित किया जाता है, वहां सरकारी सेवक के विरुद्ध कार्यवाहियों की समाप्ति के पहले उपचारण (क) के अधीन पारित किसी आवेदन का, उपचारण (क) में वर्णित प्राधिकारी द्वारा कार्यवाहियों की समाप्ति के पश्चात् स्वप्रेरणा से पुनर्विलोकन किया जाएगा, जो यथास्थिति, उपचारण (ग) या उपचारण (इ) के उपचारणों के अनुसार आवेदन करेगा।

(ध) उपचारण (इ) के अधीन आगे बाने मामले में निलम्बन की प्रबंधि को कर्तव्य पर व्यक्ति की गई प्रबंधि तक तक नहीं भाना जाएगा जब तक की सक्षम प्राधिकारी विनियोग स्थल से यह निवेश नहीं करता कि उसे किसी विनियोग प्रयोजन के लिए ऐसा माना जाएगा।

परन्तु यदि सरकारी सेवक ऐसी बांधा करता है कि ऐसा प्राधिकारी यह आवेदन कर सकता है कि निलम्बन की प्रबंधि को सरकारी सेवक को शोषण किसी भी प्रकार की अनुशेय छुट्टी में परिवर्तित कर दिया जाए।

स्पष्टीकरण—पूर्ववर्ती परन्तुक के अधीन सक्षम प्राधिकारी का आवेदन अनियम होगा और निम्नलिखित की मंजूरी के लिए किसी उच्चतर मंजूरी की आवश्यकता नहीं होगी।—

(1) अस्थायी सरकारी सेवक के मामले में तीन मास से प्रधिक की प्रबंधि के लिए असाधारण छुट्टी; और

(2) स्थायी या स्थायित् सरकारी सेवक के मामले में पांच वर्ष से प्रधिक की किसी भी प्रकार की छुट्टी।

(ज) उपचारण (ख), उपचारण (ग) या उपचारण (इ) के अधीन भत्तों का भुगतान उन भी शर्तों के अधीन रहते हुए होगा, जिनके अधीन ऐसे भत्ते अनुशेय हैं।

(क) उपचारण (ग) या उपचारण (इ) के परन्तुक के अधीन प्रबंधित पूरे वेतन और भत्तों की सानुपाती रकम खण्ड (1) के अधीन अनुशेय नियम भत्तों और प्रबंधि भत्तों से कम नहीं होगी।

[सं. 7006/ए.जी.०/पी.ओ.०]

के. पी. पुन्ना,

महायक वित्तीय सलाहकार, रक्षा सेवा।

(Department of Expenditure)

(Defence Division)

New Delhi, the 22nd September, 1975

S.O. 1683.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, and all other powers enabling him in this behalf, the President hereby makes the following regulations further to amend the Civil Service Regulations, namely :—

(1) These regulations may be called the Civil Service (Second Amendment) Regulations, 1975;

(2) They shall come into force on the date of their publication in the Official Gazette.

2. For Article 193 of the Civil Service Regulations, the following Article shall be substituted, namely :—

"193 (1) An Officer under suspension, or deemed to have been placed under suspension by an order of the appointing authority shall be entitled to the following payments, namely :—

(a) a subsistence allowance at an amount equal to the leave salary which the Govt. servant would have drawn if he had been on furlough on half average salary or leave on half pay and in addition dearness allowance, if admissible, on the basis of such leave salary :

Provided that where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows :—

(i) the amount of subsistence allowance may be increased by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible during the period of the first six months if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the Government servant;

(ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible during the period of first six months if, in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, directly attributable to the Government servant :

Provided that no order under this clause shall be made, except after giving the Government servant concerned an opportunity to make his representation against the proposed reduction and after considering the representation, if any, made by him, and on an order being made under paragraph (i) or paragraph (ii) the rate of the dearness allowance shall be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under such order.

(b) any other compensatory allowance admissible to the Government servant from time to time on the basis of the pay of which the Government servant was in receipt on the date he is suspended or is deemed to have been placed under suspension, subject to the fulfilment of other conditions laid down for the drawal of such allowance.

(2) No payment under clause (1) shall be made by unless the Government servant has not been engaging himself in any other employment, business profession or vocation during such period and furnishes a declaration to that effect :

Provided that in the case of Government servant dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to have continued to be under suspension from the date of such dismissal or removal or compulsory retirement, under sub-rule (3) or sub rule (4) of rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, and has engaged himself in any other employment, business, profession or vocation during any period or periods when he is deemed to be placed or to have continued to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods, as the case may be, from such employment, business, profession or vocation, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him under clause (1) and where the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

(3) When a Government servant, who has been dismissed, removed or compulsorily retired, is re-instated as a result of

appeal or review or would have been reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement, the authority competent to order his re-instatement shall consider and make a specific order—

- (i) regarding the pay and allowances to be paid to the Government servant for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, and
- (ii) whether or not the said period shall be treated as a period spent on duty.

(b) Where the authority competent to order re-instatement is of the opinion that the Government servant who had been dismissed, removed, or compulsorily retired has been fully exonerated, the Government servant shall, subject to the provisions of sub-clause (f) be paid the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be :

Provided that where such authority is of the opinion that the termination of the proceedings instituted against the Government servant had been delayed due to reasons directly attributable to the Government servant it may, after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reason to be recorded in writing, that the Government servant shall, subject to the provisions of sub-clause (g), be paid for the period of such delay, only such proportion of such pay and allowances as it may determine.

(c) In a case falling under sub-clause (b), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement, as the case may be, shall be treated as a period spent on duty for all purposes.

(d) In cases other than those covered by sub-clause (b) (including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the appellate or reviewing authority solely on the ground of non-compliance with the requirements of the provisions of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, and no further inquiry is proposed to be held) the Government servant shall, subject to the provisions of sub-clauses (f) & (g), be paid such proportion of the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired, or suspended prior to such dismissal, removal or compulsory retirement, as the case may be as the competent authority may determine after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period as may be specified in the notice :

Provided that any payment under this sub-clause to a Government servant shall be restricted to a period of three years immediately preceding the date on which orders for reinstatement of such Government servant are passed by the appellate authority or reviewing authority or immediately preceding the date of retirement on superannuation of such Government servant, as the case may be

(e) in a case falling under sub-clause (d), the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically directs that it shall be so treated for any specified purpose.

Provided that if the Government servant so desires such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall be converted into leave of any kind due and admissible to the Government servant.

Explanation :—The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of—

(i) extraordinary leave in excess of three months in the case of a temporary Government servant; and

(ii) leave of any kind in excess of five years in the case of a permanent or quasi-permanent Government servant.

(f) The payment of allowances under sub-clause (b) or sub-clause (d) shall be subject to all other conditions under which such allowances are admissible.

(g) The proportion of the full pay and allowances determined under the proviso to sub-clause (b) or under sub-clause (d) shall not be less than the subsistence allowance and other allowances admissible under clause (1)

(h) Any payment made under this clause to a Government servant on his re-instatement shall be subject to adjustment of the amount, if any, earned by him from any other employment, business, profession or vacation during the period between the date of removal, dismissal or compulsory retirement, or any period of suspension preceding such removal, dismissal or compulsory retirement, as the case may be, and the date preceding the date of reinstatement and where the emoluments admissible under this clause are equal to or less than the amount earned by him during such period from such employment, business, profession or vacation, no payment shall be made to the Government servant concerned.

(4)(a) Where the dismissal, removal or compulsory retirement of a Government servant is set aside by a Court of Law and consequently the Government servant is re-instated without any further inquiry, the period of absence from duty of such Government servant shall be regularised as per existing orders in that behalf and the Government servant shall be paid, subject to the directions of the court, if any, pay and allowances in accordance with the provisions of sub-clause (b) or sub-clause (c).

(b) (i) Where the dismissal, removal or compulsory retirement of a Government servant is set aside by the Court solely on the ground of non-compliance with the requirements of the provisions of the Central Civil Services (Classification, Control and Appeal) Rules, 1955, and where he is not exonerated on merit, the Government servant shall, subject to the provisions of sub-clause (g) of clause (3), be paid such proportion of the full pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired, or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him, in that connection within such period as may be specified in the notice :

Provided that any payment under this sub-clause to a Government servant shall be restricted to a period of three years immediately preceding the date on which the judgment of the court was passed, or the date of retirement on superannuation of such Government servant as the case may be.

(ii) In a case falling under paragraph (i), the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date preceding the date of reinstatement shall be regularised in accordance with the provisions contained in sub-clause (c) of clause (3)

(c) If the dismissal, removal or compulsory retirement of a Government servant is set aside by the Court on the merits of the case the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date preceding the date of reinstatement shall be treated as a period spent on duty for all purposes and he shall be paid the full pay and allowances for the period, to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

(d) The payment of allowances under sub-clause (b) or sub-clause (c) shall be subject to all other conditions under which such allowances are admissible.

(e) Any payment made under the clause to a Government servant on his re-instatement shall be subject to adjustment of the amount, if any, earned by him from any other employment, business, profession or vocation during the period between the date of dismissal, removal or compulsory retirement or suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date preceding the date of re-instatement and where the emoluments admissible under this clause are equal to or less than those earned by him during such period from such employment, business, profession or vocation, no payment shall be made to the Government servant concerned.

5(a) When a Government servant who has been suspended is re-instated or would have been so re-instated but for his death or retirement on superannuation while under suspension, the authority competent to order re-instatement shall consider and make a specific order—

(i) regarding the pay and allowances to be paid to the Government servant for the period of suspension ending with the re-instatement or the date of his death or retirement on superannuation, as the case may be; and

(ii) whether or not the said period shall be treated as a period spent on duty.

(b) Notwithstanding anything contained in clause (1), in case a Government servant under suspension dies before the disciplinary or court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as a period spent on duty for all purposes and his family shall be paid for that period the full pay and allowances to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.

(c) Where the authority competent to order re-instatement is of opinion that the suspension was wholly unjustified, the Government servant shall, subject to the provisions of sub-clause (h), be paid the full pay and allowances to which he would have been entitled, had he not been suspended :

Provided that where such authority is of the opinion that the termination of the proceedings instituted against the Government servant had been delayed due to reasons directly attributable to the Government servant, it may, after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the Government servant shall be paid for the period of such delay only such proportion of such pay and allowances as it may determine.

(d) In a case falling under sub-clause (c), the period of suspension shall be treated as a period spent on duty for all purposes.

(e) In cases other than those falling under sub-clauses (b) & (c), the Government servant shall subject to the provisions of sub-clauses (h) and (i) be paid such proportion of the full pay and allowances to which he would have been entitled had he not been suspended, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connector within such period as may be specified in the notice.

(f) Where the suspension is revoked pending finalisation of the disciplinary or court proceedings, any order passed under sub-clause (a) before the conclusion of the proceedings against the Government servant, shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-clause (a) who shall make an order according to the provisions of sub-clause (c) or sub-clause (e), as the case may be.

(g) In a case falling under sub-clause (e), the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose :

Provided that if the Government servant so desires, such authority may direct that the period of suspension shall be converted into leave of any kind due and admissible to the Government servant.

Explanation :—The order of the competent authority under the proceeding proviso shall be absolute and no higher sanction shall be necessary for the grant of—

(i) extraordinary leave in excess of three months in the case of temporary Government servant; and

(ii) leave of any kind in excess of five years in the case of permanent or quasi-permanent Government servant.

(h) The payment of allowances under sub-clause (b) sub-clause (c) or sub-clause (e) shall be subject to all other conditions under which such allowances are admissible.

(i) The proportion of the full pay and allowances determined under the proviso to sub-clause (c) or under sub-clause (e) shall not be less than the subsistence allowance and other allowances admissible under clause (1).

[No. 7006/AG/PB]

K. P. GUPTA, Assistant Financial Adviser, Defence Services

केन्द्रीय प्रस्तव कर-बोर्ड

नई दिल्ली, 11 मार्च, 1976

प्राप्त-कर

का० ना० 1684.—केन्द्रीय सरकार, प्राप्त-कर प्रधिनियम, 1961 (1961 का 43) की धारा 194-क की उपधारा (3) के बांध (ii) के उपलब्ध (च) के प्रत्युत्तर में इण्डियन ड्वीरी कार्पोरेशन बड़ीवा को उक्त उपबांध के प्रयोजन के लिए अधिसूचित करती है।

[स० 1252 (का० स० 275/23/75-प्राइंटा० ज०)]

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 11th March, 1976

INCOME TAX

S.O. 1684.—In pursuance of sub-clause (f) of clause (iii) of sub-section 3 of Section 194A of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies the Indian Dairy Corporation, Baroda for the purpose of the said sub-clause.

[No. 1252/F. No. 275/23/75-IT]

का० ना० 1685.—केन्द्रीय सरकार प्राप्त-कर प्रधिनियम, 1961 (1961 का 43) की धारा 194-क की उपधारा (3) के बांध (iii) के उपलब्ध (च) के प्रत्युत्तर में डेवलपमेंट कार्पोरेशन प्राक कोनकण लिमिटेड, मुम्बई को उक्त उपबांध के प्रयोजन के लिए अधिसूचित करती है।

[स० 1254 (का० स० 275/12/75-प्राइंटा० ज०)]

के० प्रार० राधवन, मिनिस्टर

S.O. 1685.—In pursuance of sub-clause (f) of clause (iii) of sub-section 3 of Section 194A of the Income-tax Act, 1961

(43 of 1961) the Central Government hereby notifies the Development Corporation of Konkan Ltd., Bombay for the purpose of the said sub-clause

[No. 1254/F. No. 275/12/76-ITJ]

K. R. RAGHAVAN, Director

नई दिल्ली, 25 मार्च, 1976

का० आ० 1686.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्नलिखित संस्था को, केन्द्रीय प्रस्तुत कर देंड द्वारा, प्रायकर अधिनियम, 1961 की धारा 35ध की उपधारा (2) के खंड (क) के प्रयोजनार्थ; विस्तृत, सामग्री और साधारण प्रबन्ध के क्षेत्रों में प्रबन्ध परमार्थी सेवा प्रस्तुत करने के लिए अनुमोदित किया गया है।

संस्था का नाम

ए० एफ० फूसन एण्ड कम्पनी चार्टर्ड एकाउण्टेंट्स मूबर्ड।
यह अनुमोदन 19 मित्रवर, 1975 से प्रभावी है।

[म० 1259 (फ० स० 203/128/75-आई० टी० ए० II)]

टी० पी० सुनमूनवाला, सचिव

New Delhi, the 25th March, 1976

S.O. 1686.—It is hereby notified for general information that the institution mentioned below has been approved by the Central Board of Direct Taxes for the purposes of clause (a) of sub-section (2) of Section 35D of the Income-tax Act, 1961 for rendering management consultancy services in the field of Financial, Material & General Management.

NAME OF THE INSTITUTION

A. F. FERGUSON & CO., CHARTERED ACCOUNTANTS, BOMBAY. The approval takes effect from 19th September, 1975.

[No. 1259/F. No. 203/128/75-ITA. II]

T. P. JHUNJHUNWALA, Secy.

उद्योग और नागरिक पूति मंत्रालय

(नागरिक पूति और सहकारिता विभाग)

नई दिल्ली, 6 मई, 1976

का० आ० 1687.—केन्द्रीय मरकार, अग्रिम संविधा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन सेटल इंडियन कमर्शियल इक्सचेंज लिमिटेड ग्लाउड द्वारा मान्यता के नक्कारण के लिए किये गये आवेदन पर आयदा बाजार प्रायोग के परामर्श से विचार करके और यह भाग्यान हो जाने पर कि ऐसा करना व्यापारिक के हित में भी होगा, एतद्वारा, उक्त अधिनियम की धारा 6 द्वारा प्रदत्त एकित्यों का प्रयोग करते हुए उक्त एक्सचेंज की अलसी की अग्रिम सविदाओं के बारे में 2 जून, 1976 से 1 जून, 1977 (जिसमें ये दोनों दिन भी मिलित हैं) एक वर्ष की अतिरिक्त कालावधि के लिए मान्यता प्रदान करती है।

21 G of I/76—2.

2. एतद्वारा प्रदत्त मान्यता इस शर्त के प्रधारीन है कि उक्त प्रबन्धन ऐसे नियमों का अनुपालन करेगा जो आयदा बाजार प्रायोग द्वारा समय-समय पर विये जाये।

[मंज्या 12(8) आई० टी० 76]

टी० पी० लाल, प्रबन्ध मंत्रिव

MINISTRY OF INDUSTRY & CIVIL SUPPLIES

(Department of Civil & Cooperation)

New Delhi, the 6th May, 1976

S.O. 1687.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Central India Commercial Exchange Ltd., Gwalior, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Exchange for a further period of one year from 2nd June, 1976 to the 1st June, 1977, both days inclusive, in respect of forward contracts in linseed.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may from time to time be given by the Forward Market Commission.

[F. No. 12(8)-IT/76]
B. N. LALL, Under Secy.

घरेलू मंत्रालय

नई दिल्ली, 20 अप्रैल, 1976

का० आ० 1688.—हज समिति अधिनियम, 1959 (1951 का 51 वा०) की धारा 6 की उपधारा (1), (4) और (5) के अनुपालन में 6 सितम्बर, 1975 को हुई समिति की बैठक में श्री अहमद बी० जकारिया के हज समिति बैठक के समाप्ति के रूप में और सर्वथी दिवान श्री हेस्म और मुमताज मोहम्मद खान के उप-समाप्ति के रूप में जुनाय की इसके द्वारा घोषणा की जाती है।

[स० एम० (हज) 118-1/11/75]
ए० खलीली, निवेशक (हज)

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 20th April, 1976

S.O. 1688.—In pursuance of Sub-sections (1), (4) & (5) of Section 6 of the Haj Committee Act, 1959 (No. 51 of 1961), the election of Shri Ahmed B. Zakaria as Chairman and Sarvashri Ridwan B. Harris and Mumtaz Mohd. Khan as Vice-Chairmen of the Haj Committee, Bombay, at the meeting of the Committee held on the 6th September, 1975, is hereby notified.

[No. M(Haj) 118-1/11/75]

A. KHALEELI, Director (Haj)

पेट्रोलियम और रसायन मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 6 मई, 1976

का० आ० 1689.—पेट्रोलियम, पाष्पलाइन (धूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50)

की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रासायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना वा० आ० सं० 2759 तारीख 4-8-75 द्वारा केन्द्रीय सरकार न उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों के बिछाने के प्रयोजन के लिये अर्जित करने का धरना आशय घोषित कर दिया था;

और यह: सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है;

और प्रागे, यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त गणित का प्रयोग करते हुये केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है;

और, प्रागे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी संघर्षों से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

10 लाईंस को जी० जी० एस० कम सी० टी० एफ कारी तक प्रत्यावर्तन के लिए पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन।

| राज्य : गुजरात | जिला : मेहसाना | तालुका : कादी |
|----------------|----------------|-----------------------------|
| गांव | सर्वेक्षण नं० | हेक्टेयर ए० आर० सेण्टीयर ई० |
| 1 | 2 | 3 4 5 |
| चलासन | 71 93/पी० | 0 09 00 0 11 00 |

[सं० 12016/10/75-एल० एण्ड एल०]

MINISTRY OF PETROLEUM & CHEMICALS

(Department of Petroleum)

New Delhi, the 6th May, 1976

S.O. 1689—Whereas by a notification of the Govt. of India in the Ministry of Petroleum & Chemical (Department of Petroleum) S.O. No. 2759 dated 4-8-75 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land), Act 1962 (50 of 1962), the Central Government declared its Intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now therefore in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of the power conferred by sub-section (4) of that Section, the Central Government directs that right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of his declaration in the Oil & Natural Gas Commission free from all encumbrances.

SCHEDULE

Acquisition of Right of User for laying Pipeline for Diversion of 10 lines to GGS-cum-CIF Kadi.

| State : Gujarat | District : Mehsana | Taluka : Kadi | | |
|-----------------|--------------------|---------------|----------|----------|
| Village | Survey No. | Hectare | Are | Centiare |
| Chalasan | 71 93/P | 0 0 0 41 | 09 41 | 00 00 |

[No. 12016/10/75-L&L]

का० आ० 1690.—यह: केन्द्रीय सरकार को यह प्रतीत होता है कि लोक हित में यह आवश्यक है कि गुजरात राज्य में ई० एस० एन० के० 73 और 74 से आर० य० एन० के० एल० तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाबद्ध अनुसूची में घोषित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का धरना आशय घोषित किया है;

वर्तमान कि उक्त भूमि में हिन्दूद कोई व्यक्ति, उस भूमि के नीचे वाइपलाइन बिछाने के लिए आवश्यक समझ प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और वेखभाल प्रभाग, भकरपुरा रोड बरीदा-9 की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा;

और देश आवश्यक करते वाला हर व्यक्ति विनिर्दिष्ट: यह भी करन करेगा कि वह वह चाहता है कि उम्मी सुनवाई व्यक्तिशः दा या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एन० के० 73 और 74 से एन० के० एल० तक भूमि के उपयोग का अधिकार

| राज्य गुजरात | जिला : मेहसाना | तालुका : कादी |
|--------------|-------------------|-------------------------------|
| गांव | सर्वेक्षण नं० | हेक्टेयर ए० आर० सेण्टीयर ई० |
| 1 | 2 | 3 4 5 |
| सुरज | 721 720 584 | 0 07 50 0 07 00 0 04 50 |

[संख्या 12016/2/76-एल० एण्ड एल०]

टी०पी० सुनवाई, प्रधर सचिव

S. O. 1690.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from d.s. NK-73 & 74 to R.O.U. NKL in Gujarat State, pipeline should be laid by the Oil & Natural Gas Commission ;

2. And Whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the Right of User in the land described in the schedule annexed hereto ;

3. Now therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum lines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the Right of User therein ;

4. Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9;

5. And Every Person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

R.O.U. from NK-73 & 74 To R.O.U. NKL

| State : Gujarat | District : Mehsana | Taluka : Kadi | |
|-----------------|--------------------|---------------|--------------|
| Village | Survey No. | Hectare | Arc Centiare |
| Suraj | 721 | 0 | 07 50 |
| | 720 | 0 | 07 00 |
| | 584 | 0 | 04 50 |

(No. 12016/2/76-L&L)

T.P. SUBRAHMANYAN, Under Secy.

उर्जा मंत्रालय

(कोयला विभाग)

नई विल्सो, 29 अप्रैल, 1976

सा. ० आ० १६९१.—केन्द्रीय सरकार ने, कोयला वाले थोक (अर्जित और विकास), अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के प्रधीन भारत सरकार के उर्जा मंत्रालय (कोयला विभाग) को अधिसूचना का० आ० सं० 110 (ई), तारीख 24 फरवरी, 1975 द्वारा उस अधिसूचना से संलग्न अनुसूची 'क' में वर्णित भूमियों को सथा अनुसूची 'ख' में वर्णित भूमियों में खनन करने, खदान करने, वेधान करने, खोदने और खनिजों की खोज करने उन्हें निकालने, परिचालित करने और बहन कर ले जाने के अधिकारों को अर्जित करने के अपने आशय की सूचना दी थी;

और सक्रम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुगमन में केन्द्रीय सरकार को अपनी रिपोर्ट दें दी है ;

और केन्द्रीय सरकार का सक्रम प्राधिकारी की रिपोर्ट पर विचार करने के पाचात् तथा महाराष्ट्र सरकार से परामर्श करने के पश्चात् समाधान हो गया है कि—

(क) इससे संलग्न अनुसूची 'क' में वर्णित 1050.00 एकड़ (लगभग) या 410.75 हैक्टेयर (लगभग) वाली भूमि, और

(ख) इससे संलग्न अनुसूची 'ख' में वर्णित 120.80 एकड़ (लगभग) या 48.56 हैक्टेयर (लगभग) वाली भूमियों

में खनन करने खदान करने, वेधन करने, खोदने और खनिजों की खोज करने उन्हें निकालने परिचालित करने प्रीर बहन कर ले जाने के अधिकार, अर्जित किए जाने चाहिए, ।

अतः, प्रग, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त विविधों का ध्योग करने हुए, खोदा करता है कि उक्त अनुसूची 'क' में वर्णित 1050.00 एकड़ (लगभग) या 410.75 हैक्टेयर (लगभग) वाली भूमि तथा उक्त अनुसूची 'ख' में वर्णित 120.00 एकड़ (लगभग) या 48.56 हैक्टेयर (लगभग) या 48.56 हैक्टेयर (लगभग) वाली भूमियों में खनन करने, खदान करने, वंधन करने, खोदने और खनिजों की खोज करने, उन्हें निकालने परिचालित करने प्रीर बहन कर ले जाने के अधिकार इसके हारा अर्जित किए जाते हैं।

इस अप्रिसूचना के अन्तर्गत प्राप्त वाले क्षेत्र के रेखांक का तिरक्षण कलक्टर, नागपुर (महाराष्ट्र) के कायातिय में अधिकारी कोयला विभाग के कायातिय, 1 काउंसिल हाउस स्ट्रीट, कलक्षा में अधिका सेट्रल घोल फील्ड्स लिमिटेड (राजस्व अनुभाग) के कायातिय वरंभगा हाउस, राजी में किया जा सकता है।

अनुसूची 'क'

पाटनसांगी खण्ड

कामपटी कोयला क्षेत्र

महाराष्ट्र

उपर्यंण्ड I

इ० स० राजस्व/17/75

तारीख 2-6-1975

(जिसमें अर्जित की जाने वाली भूमियां वर्णित हैं)

सभी अधिकार

| क्रम सं० | ग्राम | तत्क्षण वंशी- बस्ति क्षेत्र | जिला टिप्पणी | | |
|---------------------------|--------|-----------------------------|--------------|--------|-----|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. पिपला | . | सावनेर | 11 | नागपुर | भाग |
| 2. कायोडस (कोडस) | . | " | 13 | " | " |
| 3. एल्पूर | . | " | 15 | " | " |
| 4. पाटनसांगी (पाटनसांगी) | . | " | 16 | " | " |
| 5. तंबुलवाणी (तंबुक वाणी) | नागपुर | 11 | " | " | |
| कुल क्षेत्र | | 1050.00 एकड़ (लगभग) | | | |
| या 410.75 हैक्टेयर (लगभग) | | | | | |

पिपला ग्राम में अर्जित प्लाट संख्या--99 (भाग) और 191-193 (पी).

कोडस (कोडस) ग्राम में अर्जित प्लाट संख्या--1,2 (पी) 3,4,5 (पी) 7 (पी), 13 (पी), 14 (पी), 15, 16, 17 (पी) 18 से 25 26 (पी), 28 (पी), 29 (पी), 32 (पी), 33 (पी), 34 35 (पी), 36 (पी), 37 से 61, 62/1, 62/2, 63/1, 63/2, 64/2, 65 से 102 103/1, 103/2, 104 से 110, 111 (पी), 112 से 117, 118/1, 118/2, 119 (पी), 120 से 122, 123 (पी) 138 (पी) 167 (पी), 168 (पी), 169 (पी), 170 (पी) 171 (पी), 1972

(पी), 171 (बी), 172 (पी), 173 (पी), 1974 (पी), 1975 (पी)
176 (पी), 193 194/1, 194/2, 195, 196 और 197.

एल्टूर ग्राम में अर्जित प्लाट संख्या 83 (पी).

पाटनसानबोगी (पाटनसोगी) ग्राम में अर्जित प्लाट संख्या—290 (पी) 291 (पी), 292, 293 (पी), 294 (पी), 395 से 298, 303 (पी), 304, 305 (पी), 307 (पी), 340 (पी), 341 (पी) 342 से 347, 348 (पी) 351 (पी), 355, 356 (पी), 361/1 (पी), 361/3 (पी), 362 (पी) 380 (पी), 381 (पी) 385 (पी), 387 (पी), 388 (पी), 389 से 414, 415 (पी)

तंदुकवाण (नदुकपाण) ग्राम में अर्जित प्लाट संख्या—1 (पी), 64 (पी), 65 66 (पी), 67 (पी)
सीमा वर्णन—

ए-बी.—लाइन पाटनसानबोगी (पाटनसोगी) ग्राम के प्लाट संख्या 361/3 356, 354, 341, 310 और 415 348 से होकर जाती है और बिन्दु 'बी' पर मिलती है।

बी-सी.—लाइन पाटनसानबोगी (पाटनसोगी) ग्राम के प्लाट संख्या 415 (नाला) की आंशिक दक्षिणी सीमा के साथ-साथ जाती है और बिन्दु 'सी' पर मिलती है।

सी-डी.—लाइन पाटनसानबोगी (पाटनसोगी) ग्राम के प्लाट संख्या 415 से होकर और तंदुकवाणी (नदुकपाणी) ग्राम के प्लाट संख्या 1 से दोकर, अर्थात् कोलर नदी में से दोबर जाती है और बिन्दु 'डी' पर मिलती है।

डी-ई.—लाइन तंदुकवाणी (नदुकपाणी) ग्राम के प्लाट संख्या 1 (कोलर नदी की आंशिक दक्षिणी सीमा) की आंशिक दक्षिणी सीमा के साथ-साथ और प्लाट संख्या 87, 88, 89 और 90 की दक्षिणी सीमा के साथ-साथ जो काओडस (कोडस) ग्राम की भी आंशिक दक्षिणी सीमा भी है, जाती है और बिन्दु 'ई' पर मिलती है।

ई-एफ-जी.—लाइने प्लाट संख्या 65 (कोलर नदी) की पश्चिमी सीमा के साथ-साथ और तंदुकवाणी (नदुकपाणी) ग्राम की प्लाट संख्या 64, 67 और 66 से होकर जाती है और बिन्दु 'जी' पर मिलती है।

जी-एच-ग्राई.—लाइने तंदुकवाणी (नदुकपाणी) और बीड काओडस ग्रामों आंशिक सामान्य सीमा के साथ-साथ जाती है और बिन्दु 'ग्राई' पर मिलती है।

ग्राई. जे. के एन.—लाइने बीड काओडस (कोडस) ग्राम की भासान्य सीमा के साथ-साथ जाती है और बिन्दु 'ल' पर मिलती है।

एस-एम.—लाइने पिपला ग्राम और बीड कोओडस ग्राम की आंशिक सामान्य सीमा के साथ-साथ जाती है और 'एम' बिन्दु पर मिलती है।

एम-एन.—लाइने पिपला ग्राम के प्लाट संख्या 191-193 और 99 से होकर जाती है और बिन्दु 'न' पर मिलती है।

एन-भो.—लाइन मङ्क की आंशिक उत्तरी सीमा के साथ-साथ अर्थात् पिपला ग्राम के प्लाट संख्या 99 की आंशिक उत्तरी सीमा के साथ साथ और ग्राम काओडस (कोडस) के प्लाट संख्या 193 की आंशिक उत्तरी सीमा के साथ-साथ जाती है और बिन्दु 'भो' पर मिलती है।

श्री-पी-क्यू-०-प्रार-एस--लाइन काओडस (कोडस) ग्राम के प्लाट संख्या 176, 111, 175, 174, 173, 172, 171, 170, 169, 168, 167, 119, 138 123 11 और 12 से होकर जाती है और बिन्दु 'एस' पर मिलती है।

एस-टी-यू--लाइने काओडस (कोडस) ग्राम के प्लाट संख्या 12, 17, 7, 6, 5, 6 और 2 से होकर एल्टूर ग्राम के प्लाट संख्या 83 से होकर पाटनसानबोगी (पाटनसोगी) ग्राम के प्लाट संख्या 291, 290, 293 और 294 से होकर जाती है और बिन्दु 'यू' मिलती है।

यू-बी--लाइन रेलवे लाइन की आंशिक उत्तरी सीमा के साथ-साथ, अर्थात् प्लाट संख्या 320 की आंशिक उत्तरी सीमा के साथ-साथ, पाटनसानबोगी (पाटनसोगी) ग्राम की प्लाट संख्या 300 की उत्तरी सीमा के साथ-साथ, काओडस (कोडस) ग्राम के प्लाट संख्या 26 की आंशिक उत्तरी सीमा के साथ-साथ जाती है और बिन्दु 'बी' पर मिलती है।

बी-एग--लाइन काओडस (कोडस) ग्राम के प्लाट संख्या 26, 36, 35, 32, 33, 29 और 28 से होकर पाटनसानबोगी (पाटन सोगी) ग्राम के प्लाट संख्या 303, 305, 307, 388, 386-387, 385, 381, 380, 362, 361/1 और 361/3 से होकर जाती है और बिन्दु 'एग' पर मिलती है।

प्रत्यक्षीकृत 'ख'

उपलब्ध-II

प्रा० सं० राजस्व 17/75 तारीख 2-6-75 (जिसमें वे भूमियां दर्शित हैं जिनमें छनत करने, खदान करने, वेधन करने, खोदने और बनिजों की खोज करने, उन्हें निकालने, परिचालित करने और वहन कर से जाने के अधिकार अर्जित किए जाने हैं)

खनन अधिकार

| क्रम संख्या | ग्राम | तहसील बस्ति | जिला | क्षेत्र संख्या | दिप्प-गिरि |
|---------------------------|----------|------------------|------------------|----------------|------------|
| 1. काओडस (कोडस) | . सावनेर | 13 | मागपुर | भाग | |
| 2. पाटनसानबोगी (पाटनसोगी) | " | 16 | " | " | |
| | | कुल भेत्र 120 00 | एकड़ (लगभग) | | |
| | | या 48. 56 | त्रिशंकुर (लगभग) | | |

काओडस (कोडस) ग्राम में अर्जित प्लाट संख्या :—(26पी) 27, 28 (पी) 29 (पी) 30, 31, 32 (पी) 33 (पी) 35 (पी) और 36 (पी)

पाटनसानबोगी (पाटनसोगी) ग्राम में अर्जित प्लाट संख्या—300, 301, 302, 303 (पी), 305 (पी), 306, 307 (पी), 308, 309, 310 (पी), 312 (पी), 313 (पी), 314 (पी), 320 (पी), 324 (पी), 361/1 (पी), 361/2 (पी), 361/3 (पी) 362 (पी), 363, 364 (पी), 365 (पी), 377 (पी), 378, 379, 380 (पी), 381 (पी), 382, 383 (पी), 384 (पी), 385 (पी) 386-387 (पी), और 388 (पी)

सीमा वर्णनः—

पू-इल्यू—लाहौन पाटनसानबोगी (पाटनसोगी) ग्राम के प्लाट संख्या 320, 310, 312, 313, 314, 324, 384, 385 और 377 से होकर जाती है और बिन्दु 'इल्यू' पर मिलती है।

इल्यू-ए—लाहौन पाटनसानबोगी (पाटनसोगी) ग्राम के प्लाट संख्या 362, 365, 364, 361/2, 361/3 से होकर जाती है और बिन्दु 'ए' पर मिलती है।

ए-बी—लाहौन पाटनसानबोगी (पाटनसोगी) ग्राम की प्लाट संख्या 361/3, 361/1, 362, 380, 381, 385, 386-387, 388 307, 305 और 303 से होकर, काओडस (कोडस) ग्राम के प्लाट संख्या 28, 29, 33, 32, 35, 36 और 26 से होकर जाती है और बिन्दु 'बी' पर मिलती है।

बी-मू—लाहौन रेलवे लाइन की आंशिक उत्तरी सीमा के साथ-साथ अंतर्गत काओडस (कोडस) ग्राम के प्लाट संख्या 26 की आंशिक उत्तरी सीमा के साथ-साथ पाटनसानबोगी (पाटनसोगी) के प्लाट संख्या 300 की उत्तरी सीमा के साथ-साथ प्लाट संख्या 320 की आंशिक उत्तरी सीमा के साथ-साथ जाती है और प्रारम्भ 'मू' पर मिलती है।

[सं० सी-३-२(६) / ७१-सी० ५/सीईएल]

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 29th April, 1976

S.O. 1691—Whereas by the notification of Government of India in the Ministry of Energy (Department of Coal) S.O. No. 110(E) dated the 24th February, 1975, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands described in Schedule 'A', and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands described in Schedule 'B', appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made its report to the Central Government;

And whereas the Central Government, after considering, the report of the competent authority and after consulting the Government of Maharashtra is satisfied that—

- the land measuring 1050.00 acres (approximately) or 410.75 hectares (approximately) described in Schedule 'A' appended hereto, and
- the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 120.00 acres (approximately) or 48.56 hectares (approximately) described in schedule 'B' appended hereto, should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the land measuring 1050.00 acres (approximately) or 410.75 hectares (approximately) described in the said Schedule 'A' and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 120.00 acres (approximately) or 48.56 hectares (approximately) described in the said schedule 'B' are hereby acquired.

The plan of the area covered by this notification may be inspected in the office of the Collector, Nagpur (Maharashtra) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi.

SCHEDULE 'A'

Patansaongi Block

Kamptec Coalfield

MAHARASHTRA

Sub-Block-1

Drg. No. Rev/17/75

Dated 2-6-1975

(Showing lands acquired)

All Rights

| Serial number | Village | Tehsil | Bando-bast number | District | Area | Remarks |
|-------------------------------|---------|--------|-------------------|----------|------|---------|
| 1. Pipla | Saoner | 11 | Nagpur | Part | | |
| 2. Kaodas (Kodas) | " | 13 | " | " | | |
| 3. Eltur | " | 15 | " | " | | |
| 4. Patansanwogi (Patansaongi) | " | 16 | " | " | | |
| 5. Tandulwani (Naduk Pani) | Nagpur | 11 | " | " | | |

TOTAL AREA :—1050.00 acres (approximately) or 410.75 hectares (approximately)

Plot numbers acquired in village Pipla :—99(part) and 191-193 (P).

Plot numbers acquired in village Kaodas (Kodas) :—1, 2 (P), 3, 4, 5(P), 6(P), 7(P), 13(P), 14(P), 15, 16, 17(P), 18 to 25, 26(P), 28(P), 29(P), 32(P), 33(P), 34, 35(P), 36(P), 37 to 61, 62/1, 62/2, 63/1, 63/2, 64/1, 64/2, 65 to 102, 103/1, 103/2, 104 to 110, 111(P), 112 to 117, 118/1, 118/2, 119(P), 120 to 122, 123(P), 138(P), 167(P), 168(P), 169(P), 170(P), 171(P), 172(P), 173(P), 174(P), 175(P), 176(P), 193, 194/1, 194/2, 195, 196 & 197.

Plot numbers acquired in village Eltur :—83(P).

Plot numbers acquired in village Patansanwogi (Patansaongi) :—290(P), 291(P), 292, 293(P), 294(P), 295 to 299, 303(P), 304, 305(P), 307(P), 340(P), 341(P), 342 to 347, 348(P), 354(P), 355, 356(P), 361/1(P), 361/3(P), 362(P), 380(P), 381(P), 385(P), 386-387(P), 388(P), 389 to 414, 415(P).

Plot numbers acquired in village Tandulwani (Nadukpani) :—1(P), 64(P), 65, 66(P), 67(P).

Boundary Description :—

A—B line passes through plot numbers 361/3, 356, 334, 348, 341, 340 and 415 of village Patansanwogi (Patansaongi) and meets at point 'B'.

B—C line passes along the part Southern boundary of plot number 415 (Nala) of village Patansanwogi (Patansaongi) and meets at point 'C'.

C—D line passes through plot number 415 of village Patansanwogi (Patansaongi) and through plot number 1 of village Tandulwani (Nadukpani) i.e. through River Kolar and meets at point 'D'.

D—E line passes along the part southern boundary of plot number 1 (part southern boundary of River Kolar) of village Tandulwani (Nadukpani) and along the Southern boundary of plot numbers 87, 88, 89 and 90 which is also the part southern boundary of village Kaodas (Kodas) and meets at point 'E'.

E—F—G lines pass along the Western boundary of plot number 65 (Kolar River) and through plot number 64, 67 and 66 of village Tandulwani (Nadukpani) and meet at point 'G'.

G—H—I lines pass along the part common boundary of villages Tandulwani (Nadukpani) and Bid Kaodas and meet at point 'T'.

I—J— lines pass along the common boundary of villages Bid Kaodas and Kaodas (Kodas) and meet at point 'L'.

L—M line passes along the part common boundary of villages Pipla and Bid Kaodas and meets at point 'M'.

M—N line passes through plot numbers 191-193 and 99 of village Pipla and meets at point 'N'.

N—O line passes along the part 'Northern boundary of road that is among the part northern boundary of plot number 99 of village Pipla and along the part northern boundary of plot number 193 of village Kaodas (Kodas) and meets at point 'O'.

O—P—Q lines pass through plot numbers 176, 111, 175, 174, 173, 172, 171, 170, 169, 168, 167, 119, 138, 123, 14 and 12 of village Kaodas (Kodas) and meet at point 'S'.

S—T—U lines pass through plot numbers 12, 17, 7, 6, 5, 6 and 2 of village Kaodas (Kodas), through plot number 83 of village Eltur, through plot numbers 291, 290, 293 and 294 of village Patansanwogi (Patansaongi) and meet at point 'U'.

U—V line passes along the part northern boundary of Railway line i.e. along the part northern boundary plot number 320, along the northern boundary of plot number 300 of village Patansanwogi (Patansaongi) along the part northern boundary of plot number 26 of village Kaodas (Kodas) and meets at point 'V'.

V—A line passes through plot numbers 26, 36, 35, 32, 33, 29 and 28 of village Kaodas (Kodas) through plot numbers 303, 305, 307, 388, 386-387, 385, 381, 380, 362, 361/1, and 361/3 of village Patansanwogi (Patansaongi) and meets at starting point 'A'.

SCHEDULE 'B'

Sub-Block-II

Drg. No. Rev/17/75

Dated 2-6-75

(Showing lands where rights to mine, quarry, bore, dig and search for, win, work and carry away minerals are to be acquired).

Mining Rights

| Serial No. | Village | Tahsil | Bandobast number | District | Area | Remarks |
|---|----------------------------|--------|------------------|----------|-------|---------|
| 1. | Kaodas (Kodas) | Saoner | 13 | Nagpur | Part. | |
| 2. | Patansanwogi (Patansaongi) | Saoner | 16 | Nagpur | Part. | |
| Total area :—120.00 acres (approximately) or 48.56 hectares (approximately) | | | | | | |

Plot numbers acquired in village Kaodas (Kodas) :—26(P), 27, 28(P), 29(P), 30, 31, 32(P), 33(P), 35(P) and 36(P).

Plot numbers to be acquired in village Patansanwogi (Patansaongi) :—300, 301, 302, 303(P), 305(P), 306, 307(P), 308, 309, 310(P), 312(P), 313(P), 314(P), 320(P), 324(P), 361/1(P), 361/2(P), 361/3(P), 362(P), 363, 364(P), 365(P), 377(P), 378, 379, 380(P), 381(P), 382, 383(P), 384(P), 385(P), 386-387(P) and 388(P).

Boundary Description :

U—W line passes through plot numbers 320, 310, 312, 313, 314, 324, 384, 383 and 377 of village Patansanwogi (Patansaongi) and meets at point 'W'.

W—A line passes through plot numbers 362, 365, 364, 361/2, 361/3 of village Patansanwogi (Patansaongi) and meets at point 'A'.

A—V line passes through plot numbers 361/3, 361/1, 362, 380, 381, 385, 386-387, 388, 307, 305 and 303 of

village Patansanwogi (Patansaongi), through plot numbers 28, 29, 33, 32, 35, 36 and 26 of village Kaodas (Kodas) and meets at point 'V'.

V—U line passes along the part northern boundary of Railway line i.e. along the part northern boundary of plot number 26 of village Kaodas (Kodas), along Northern boundary of plot number 300, along part Northern boundary of plot number 320 village Patansanwogi (Patansaongi) and meets at starting point 'U'.

[No. C3-2(6)/71-C5/CEL]

नई दिल्ली, 6 मई, 1976

का० प्रा० 1692.—केन्द्रीय सरकार ने, कोयला वाले क्षेत्र (भर्जन और विकास) प्रधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (i) के अधीन जारी की गई भारत सरकार के इस्पात और ज्ञान मन्त्रालय (ज्ञान विभाग) की अधिसूचना सं० का० प्रा० 1855, तारीख 12 जुलाई, 1971 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनियिष्ट परिक्षेत्र में भूमि अर्जित करने के अपने आशय की सूचना दी थी;

श्रोत सक्षम प्राधिकारी ने उक्त अधिसूचना की धारा 8 के अनुसरण में अपनी रिपोर्ट केन्द्रीय सरकार को दी है ;

श्रोत केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और उत्तर प्रवेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे उपावद्ध अनुसूची में वर्णित 102.00 एकड़ (लगभग) या 39.28 हेक्टेयर्स (लगभग) के माप की भूमि को अर्जित किया जाना चाहिए ।

श्रोत, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त सक्तियों का प्रयोग करते हुए अधिकृत करती है कि उक्त अनुसूची में वर्णित 102.00 एकड़ (लगभग) या 39.28 हेक्टेयर्स (लगभग) के माप की भूमि को अर्जित कर लिया गया है ।

2. इस अधिसूचना के अन्तर्गत आने वाली रेखाओं का निरीक्षण कलक्टर, मिजांपुर, उत्तर प्रदेश के कार्यालय में या कोयला नियन्त्रक के कार्यालय, काउन्सिल हाउस स्ट्रीट, कलकत्ता में या सेन्ट्रल फोलीरहस्य लिमिटेड के कार्यालय (राजस्व अनुभाग) दरभंगा हाउस, रंची (बिहार) में किया जा सकेगा ।

अनुसूची

उप-क्लास क, ड और च

जीरोचौरा ब्लाक

वीणा और सिगरीली V परियोजना

सिगरीली कोयलावाले क्षेत्र (उ० प्र०)

झाहंग सं० राजस्व/74/75

तारीख 3-12-75

(अर्जित क्षेत्र वर्णित किए गए हैं)

उप-क्लास--घ

मध्य अधिकार

| क्षम ग्राम | तहसील | परगना | परगना | धाना | जिला | क्षेत्र | टिप्पणियां |
|------------|-------|-------|-------|------|------|---------|------------|
| सं० | | | | | | | |

| | | | | |
|---------|------|---------|---|-------------------------------|
| 1. बंशी | दुधी | सिगरीली | 8 | मिस्ट्री मिजांपुर भाग (खेगवा) |
|---------|------|---------|---|-------------------------------|

| |
|------------------------------|
| कुल क्षेत्र 1.55 एकड़ (लगभग) |
|------------------------------|

| |
|---------------------------|
| या 9.63 हेक्टेयर्स (लगभग) |
|---------------------------|

ग्राम बंधी में अर्जित प्लाट सं०

301 से 304

सीमा वर्णन

क-क/1 लाईन ग्राम बंधी में प्लाट सं० 301 की पश्चिमी सीमा के साथ साथ जाती है।

क/1-ख लाईन ग्राम बंधी में प्लाट सं० 302, 303 और 304 की पश्चिमी सीमा के साथ साथ जाती है जो कोयला अधिनियम की धारा 9 के अधीन अर्जित जोगीचौरा ब्लाक की आंशिक रूप से सामान्य सीमा भी है।

ख-ग लाईन ग्राम बंधी प्लाट सं० 304 की दक्षिणी सीमा के साथ साथ जाती है।

ग-घ लाईन ग्राम बंधी में प्लाट सं० 303, 302 और 301 की पूर्वी सीमा के माथ साथ जाती है।

घ-क लाईन ग्राम बंधी में प्लाट सं० 301 की उत्तरी सीमा के साथ साथ जाती है और प्रारम्भिक बिन्दु 'क' पर मिलती है।

उप-ब्लॉक-क

सीमा अधिकार

क्रम ग्राम तहसील परगना परगना धाना जिला खेत्र टिप्पणियां सं० सं०

1. बंधी तुधी सिगरोली 8 मिस्त्रा मिजपुर भाग (खैरवा)

कुल खेत्र: 5.90 एकड़ (लगभग)

या 2.39 हेक्टेयर (लगभग)

ग्राम बंधी में अर्जित प्लाट संख्याएँ

425, 426, 427, 428, 429, 430, 431 और 432 (भाग)।

सीमा वर्णन

इ-इ/1 लाईन ग्राम बंधी में प्लाट सं० 427 और 425 की पश्चिमी सीमा के माथ साथ प्लाट सं० 426 की उत्तरी और पश्चिमी सीमा के साथ साथ जाती है।

इ/1-ख-ठ लाईन ग्राम बंधी में प्लाट सं० 432 की आंशिक पश्चिमी सीमा के माथ-साथ प्लाट सं० 425 की दक्षिणी सीमा के माथ-साथ और फिर प्लाट सं० 432 से होकर जाती है जो कोयला अधिनियम की धारा 9 के अधीन अर्जित जोगीचौरा ब्लाक की आंशिक रूप से सामान्य सीमा भी है।

छ.ज.ख. लाईन ग्राम बंधी में प्लाट सं० 427 और 426 की पूर्वी सीमा के माथ-साथ, प्लाट सं० 431, 430 और 428 की उत्तरी सीमा के माथ साथ, प्लाट सं० 431 और 432 की दक्षिणी और पूर्वी सीमा के माथ साथ और प्लाट सं० 432 की आंशिक दक्षिणी सीमा के माथ साथ जाती है और प्रारम्भिक बिन्दु 'क' पर मिलती है।

उप-ब्लॉक-ख

सीमा अधिकार

क्रम ग्राम तहसील परगना परगना धाना जिला खेत्र टिप्पणियां सं० सं०

1. जामशीला तुधी सिगरोली 43 मिस्त्रा मिजपुर भाग (खैरवा)

कुल खेत्र: 94.55 एकड़ (लगभग) या 36.26 हेक्टेयर (लगभग)

ग्राम जामशीला में अर्जित प्लाट सं०

67, 68 (भाग), 69 से 72, 73 (भाग), 72 (भाग), 199 से 209 सीमा वर्णन

म.आट लाईनें ग्राम जामशीला में, प्लाट सं० 73, 77 और 78 से होकर प्लाट सं० 74 की आंशिक उत्तरी और आंशिक पूर्वी सीमा के माथ साथ, प्लाट सं० 66 की आंशिक उत्तरी और पूर्वी सीमा के माथ साथ और प्लाट सं० 68 से होकर जाती है, जो कोयला अधिनियम की धारा 9 के अधीन अर्जित जोगी-चौरा ब्लाक की आंशिक रूप से सामान्य सीमा भी है।

ट-ठ लाईन ग्राम जामशीला में प्लाट सं० 198 और 210 की उत्तरी सीमा के माथ साथ, प्लाट सं० 184 की पूर्वी सीमा के माथ साथ, प्लाट सं० 78 की आंशिक दक्षिणी सीमा के माथ साथ जाती है, जो कोयला अधिनियम की धारा 9 के अधीन अर्जित जोगीचौरा ब्लाक की आंशिक रूप से सामान्य सीमा भी है।

ठ-ड लाईनें ग्राम जामशीला में वंथ मार्ग कैचमेट क्षेत्र की आंशिक पश्चिमी सीमा के माथ साथ जाती है।

ठ-इ लाईन ग्राम जामशीला में प्लाट सं० 71, 70 और 69 की उत्तरी सीमा और प्लाट सं० 68 की आंशिक पश्चिमी सीमा के माथ साथ जाती है और प्रारम्भिक बिन्दु 'क' पर मिलती है।

[सं० 19(14)/76 सी० ई० एल०]

New Delhi, the 6th May, 1976

S.O. 1692.—Whereas by the notification of the Government of India in the Ministry of Steel and Mines (Department of Mines) No. S.O. 1855 dated the 12th July, 1974, issued under sub-section (i) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), i.e. Central Government gave notice of its intention to acquire lands in the locality specified in the Schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Uttar Pradesh satisfied that the lands measuring 102.00 acres (approximately) or 39.28 hectares (approximately), described in the schedule appended hereto, should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 102.00 acres (approximately) or 39.28 hectares (approximately) described in the said schedule are hereby acquired.

2. The plans of the area covered by this notification may be inspected in the office of the Collector, Mirzapur (Uttar Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in Office of the Central Coalfields Limited, (Revenue Section), Darbhanga House, Ranchi (Bihar).

SCHEDULE

Sub-Blocks D, E&F
 Jogichowra Block
 Bina & Singrauli V Project
 Singrauli Coalfield (UP)
 Drg. No. Rev/74/75
 Dated 8-12-75
 (showing area acquired)

Sub-Block-D
 All Rights

| Sl. No. | Village | Tehsil | Pargana | Pargana No. |
|---------|---------|--------|-----------|-------------|
| 1. | Banshi | Dudhi | Singrauli | 8 |

Sub-Block-E
 All Rights

| Sl.No. | Village | Tehsil | Pargana | Pargana No. | Thana | Distt. | Area | Remarks |
|--------------|---------|--------|-----------|-------------|-----------------|----------|-----------|---------|
| 1. | Banshi | Dudhi | Singrauli | 8 | Misra (Khairwa) | Mirzapur | Part | |
| Total area:— | | | | | 5.90 | acres | (approx.) | |
| or | | | | | 2.39 | hect. | (approx.) | |

Plot Nos. acquired in village Banshi

425, 426, 427, 428, 429, 430, 431 & 432(P).

Boundary description:

E-F/1 line passes along the northern & western boundary of plot no. 426 along western boundary of plot nos. 427 and 425 in village Banshi.

E/1-F-G lines pass along the southern boundary of plot nos. 425 along part western boundary of plot no. 432 then through plot no. 432 in village Banshi which is also the part common boundary of Jogichowra Block acquired u/s 9 of the Coal Act.

G-H-E lines pass along the part southern boundary of plot no. 432, along southern & eastern boundary of plot nos. 431 & 431 along northern boundary of plot nos. 431, 430 & 428, along eastern boundary of plot nos. 427 & 426 in village Banshi and meet at starting point 'E'.

Sub-Block-F
 All Rights

| S.No. | Village | Tehsil | Pargana | Pargana No. | Thana | Distt. | Area | Remarks |
|--------------|---------|--------|-----------|-------------|-----------------|----------|-----------|---------|
| 1. | Jamsila | Dudhi | Singrauli | 43 | Misra (Khairwa) | Mirzapur | Part | |
| Total area:— | | | | | 94.55 | acres | (approx.) | |
| or: - | | | | | 36.26 | hectares | (approx.) | |

Plot Nos. acquired in village Jamsila

67, 68(P), 69 to 72, 73(P), 72(P), 78(P), 199 to 209.

Boundary description:

I-J-K- lines pass through plot nos. 68 along part northern and eastern boundary of plot no. 66 along part northern and part eastern boundary of plot no. 74, through plot nos. 73, 77 and 78 in vill. Jamsila, which is also the part common boundary of Jogichowra block acquired u/s 9 of the Coal Act.

K-L line passes along part southern boundary of plot no. 78 along eastern boundary of plot no. 184 along northern boundary of plot nos. 198 and 210 in village Jamsila which is also the part common boundary of Jogichowra block acquired u/s 9 of the Coal Act.

L-M-N lines pass along the part western boundary of Panth Sagar Catchment area in village Jamsila.

N-I line passes along the northern boundary of plot nos. 71, 70, 69 and part western boundary of plot no. 68 in village Jamsila and meets at starting point 'I'.

| Thana | Distt | Area | Remarks |
|----------------------------------|----------|------|---------|
| Misra (Khairwa) | Mirzapur | Part | |
| Total area : 1.55 acres (approx) | | | |
| or 0.63 hectares (approx). | | | |

Plot No. acquired in village Banshi 301 to 304.

Boundary Description

A—A/1 line passes along the Western boundary of plot No 301 in village Banshi.

A/1—B line passes along the Western boundary of plot nos. 302, 303 & 304 in village Banshi which is also the part common boundary of Jogichowra Block acquired u/s 9 of the Coal Act.

B—C line passes along the Southern boundary of plot no. 304 in village Banshi.

C—D line passes along the eastern boundary of plot nos. 303, 302 & 301 in village Banshi.

D—A line passes along the northern boundary of plot no. 301 in village Banshi and meets at starting point 'A'.

नई विलो, 7 मई, 1976

का० आ० 1693.—केन्द्रीय सरकार ने कोयला वाले क्षेत्र (पर्जन्य और विकास) प्रधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के वधीन, भारत सरकार के भूत्यूर्व इस्पात और खान भंडालय (खान विभाग) की प्रधिसूचना सं० का० 2371, तारीख 14 अगस्त, 1974 द्वारा, उस प्रधिसूचना से उपायक अनुसूची में विनियिष्ट भूमियों को अंजित करने के प्रपते आशय की सूचना दी थी;

और संक्षेप प्राधिकारी ने उक्त प्रधिनियम की धारा 8 के प्रत्युत्तर में केन्द्रीय सरकार को अपनी रिपोर्ट दी है;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् तथा बिहार सरकार से परामर्श करने के पश्चात्, समाधान हो गया है कि उक्त प्रधिसूचना की अनुसूची में वर्णित, 343.00 एकड़ (लगभग) या 138.06 हेक्टेयर (लगभग) माप की भूमियों अंजित की जानी चाहिए;

अतः, द्वारा, केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 9 की उपधारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, घोषणा करती है कि उक्त प्रधिसूचना में वर्णित 343.00 एकड़ (लगभग) या 138.06 हेक्टेयर (लगभग) माप की भूमियां इसके द्वारा अंजित की जाती हैं;

2. इस प्रधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखाओं का निरीक्षण उपायुक्त, हजारीबाग (बिहार) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कलकत्ता के कार्यालय में या सेन्ट्रल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), दरभंगा हाऊस, रांची (बिहार) के कार्यालय में किया जा सकेगा।

अनुसूची

खण्ड I

(उत्तर कर्णपुरा कोयला क्षेत्र)
(बिहार)

का० सं० रा०/54/74

तारीख 27-12-1974

(जिसमें अंजित भूमियां दर्शित हैं)

सभी प्रधिकार

| क्रम सं० | ग्राम | वाना | धारा | जिला | क्षेत्र | टिप्पणियां |
|---------------|----------|------|----------|------|---------|------------|
| | | | | | | संख्या |
| 1. उरीमारी | बरकागांव | 156 | हजारीबाग | भाग | | |
| 2. गरमुता | " | 157 | " | " | | |
| 3. कुरुकुट्टा | माण्डु | 36 | " | " | | |
| 4. गीरी | " | 36 | " | " | | |
| 5. देवोरिया | रामगढ़ | 48 | " | " | | |
| बरसांवा | | | | | | |
| 6. सौंदा | " | 24 | " | " | | |
| 7. साइल | " | 23 | " | " | | |

कुल क्षेत्र:—183.00 एकड़ (लगभग)
या 74.06 हेक्टेयर (लगभग)

उरीमारी ग्राम में अंजित प्लाट संख्या:—752

गरमुता ग्राम में अंजित प्लाट संख्या:—2722

कुरुकुट्टा ग्राम में अंजित प्लाट संख्या:—629 (भाग)

गीरी ग्राम में अंजित प्लाट संख्या:—666, 214, 339, 504 और 506 (भाग)

देवोरिया/बरगांवा ग्राम में अंजित प्लाट संख्या:—1 (भाग)

सौंदा ग्राम में अंजित प्लाट संख्या:—1 (भाग)

साइल ग्राम में अंजित प्लाट संख्या:—1(भाग), 9(भाग), 45, 101 (भाग) और 102

खण्ड—1 का भीमा वर्णन

ए—बी लाइन वामोदर नदी से होकर, प्रथम् उरीमारी ग्राम के प्लाट संख्या 752 की परिचमी सीमा के साथ-साथ और साइल और सांकुल ग्रामों की आंशिक सामान्य सीमा के साथ-साथ जाती है।

बी—सी साइल साइल ग्राम में वामोदर नदी के आंशिक बाहिने तट के साथ-साथ जाती है।

सी—बी साइल प्लाट संख्या 1 से होकर, वामोदर नदी की मध्य रेखा के साथ-साथ तथा साइल ग्राम में प्लाट सं० 9 से होकर [प्रथम् कोयला वाले क्षेत्र (पर्जन्य और विकास) प्रधिनियम, 1957 की धारा 9(1) के प्रधीन अंजित साइल कोलियरी के सभी प्रधिकार वाले क्षेत्र की आंशिक सामान्य सीमा के साथ-साथ] जाती है।

एफ—जी लाइन साइल ग्राम में वामोदर नदी के आंशिक बाहिने तट के साथ-साथ जाती है।

जी—एस—लाइन प्लाट संख्या 101 (दमोदर नदी) से होकर तथा वामोदर नदी की आंशिक मध्य रेखा के साथ-साथ (प्रथम् साइल और कुरुकुट्टा, साइल या गीरी ग्रामों की आंशिक सामान्य सीमा के साथ-साथ जाती है (जो वामोदर नदी में बास कर्णपुरा कोलियरी के पट्टा क्षेत्र की आंशिक सामान्य सीमा है)।

आई—जे लाइन वामोदर नदी की मध्य रेखा के साथ-साथ और सौंदा के ग्राम के प्लाट संख्या 686 और 1 की आंशिक सामान्य सीमा के साथ-साथ (प्रथम् गीरी और सौंदा ग्राम की आंशिक सामान्य सीमा के साथ-साथ जाती है जो सौंदा कोलियरी के लिए वामोदर नदी में 25.98 एकड़ के बालूपूर्ण क्षेत्र की सामान्य सीमा है।

के—एस—लाइन प्लाट संख्या 1 (दमोदर नदी) से होकर [प्रथम् एम कोयला वाले क्षेत्र (पर्जन्य और विकास) प्रधिनियम, 1957 की धारा 9 (1) के प्रधीन अंजित सौदा कोलियरी के सभी प्रधिकार वाले क्षेत्र की आंशिक सामान्य सीमा के साथ-साथ] जाती है।

एम—एस—लाइन सौदा ग्राम के प्लाट संख्या 1 (दमोदर नदी) और --क्यू प्लाट संख्या 23 (नकारी नदी) की सामान्य सीमा, सौदा ग्राम के प्लाट संख्या 1 और देवोरिया बरसांवा ग्राम के प्लाट संख्या 1 की आंशिक सामान्य सीमा के साथ-साथ, देवोरिया बरगांवा ग्राम के प्लाट संख्या 1 और गीरी ग्राम के प्लाट संख्या 506 से होकर जाती है (जो राष्ट्रीय केबला विकास निगम लिमिटेड की बालू पट्टा के लिए विए गए क्षेत्र की आंशिक सामान्य सीमा है)।

क्यू—आर लाइन गीरी और कुरुकुट्टा ग्रामों में वामोदर नदी की आंशिक बाए तट के साथ-साथ जाती है।

मार—एस—लाइन कुरुक्षेत्र ग्राम में, वामोदर नदी के प्लाट संख्या 629
—ठी—यू से होकर जाती है (जो कोयला वाले क्षेत्र अर्जित और विकास)
प्रविनियम, 1957 की धारा 9 (1) के अधीन अर्जित क्षेत्र
केसाथ आंशिक सामान्य सीमा है)।

यू—ए लाइन कुरुक्षेत्र, गरमुला और उरीमारी ग्रामों में वामोदर
नदी के आंशिक बाएं तट के साथ-साथ जाती है।

खण्ड II

सभी अधिकार

| क्रम | ग्राम | थाना | थाना संख्या | जिला | क्षेत्र | टिप्पणीय |
|------|-----------|--------|-------------|----------|---------|----------|
| 1. | गीदी | माण्डु | 36 | हजारीबाग | भाग | |
| 2. | बुंदु | " | 39 | " | " | |
| 3. | चौरधारा | रामगढ़ | 55 | " | " | |
| 4. | दण्डुप्रा | " | 54 | " | " | |

कुल क्षेत्र :—160.00 एकड़ (लगभग)
या :—64.00 हेक्टेरिया (लगभग)

गीदी ग्राम में अर्जित प्लाट संख्या :—514, 584 और 685.

बुंदु ग्राम में अर्जित प्लाट संख्या :—561 (भाग, और 647).

दण्डुप्रा ग्राम में अर्जित प्लाट संख्या :—1, 67 और 197.

चौरधारा ग्राम में अर्जित प्लाट संख्या :—1, 20, 25, 286 और 304.

खण्ड-II का सीमा बर्णन

की—डस्ट्री लाइन गीदी ग्राम के प्लाट संख्या 585 (नदी) की पश्चिमी
सीमा के साथ-साथ और वामोदर नदी में देसरिया बरगांवा
और दण्डुप्रा ग्रामों की सामान्य सीमा के साथ-साथ जाती है।

New Delhi, the 7th May, 1976

S.O. 1693.—Whereas by the notification of the Government of India in the late Ministry of Steel & Mines (Department of Mines) No. S.O. 2371 dated the 14th August, 1974, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition & Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands specified in the schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid, and, after consulting the Government of Bihar is satisfied that the lands described in the schedule to the said notification the lands measuring 343.00 acres (approximately) or 138.06 hectares (approximately) described in the schedule appended hereto, should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 343.00 acres (approximately) or 138.06 hectares (approximately) described in the said schedule are hereby acquired.

2. The plans of the area covered by this notification may be inspected in the office of the Deputy Commissioner, Hazaribagh (Bihar) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the National Coal Development Corporation Limited (Revenue Section) Darbhanga House, Ranchi (Bihar).

SCHEDULE
BLOCK I
(North Karanpura Coalfield)
(Bihar)

Drg. No. Rev/54/74
Dated 27-12-1974
(Showing lands acquired)

All Rights

| Sl. No. | Village | Thana | Thana Number | District Area | Remarks |
|------------|----------------|-----------|--------------|---------------|---------|
| 1. | Urimari | Barkagaon | 155 | Hazaribagh | Part |
| 2. | Garsula | " | 157 | " | " |
| 3. | Kurkutta | Mandu | 35 | " | " |
| 4. | Gidi | " | 36 | " | " |
| 5. | Deoria Bargarh | Ramgarh | 48 | " | " |
| 6. | Sounda | " | 24 | " | " |
| 7. | Sael | " | 23 | " | " |

Total Area :—183.00 acres (approximately)
or :—74.06 hectares (approximately)

डस्ट्री-एस लाइन दण्डुप्रा और चौरधारा ग्रामों में वामोदर नदी के वाहिने किनारे के साथ-साथ जाती है।

एक्स-वाई लाइन चौरधारा ग्राम के प्लाट संख्या 304 और चैंगरा ग्राम के प्लाट संख्या 1220 की सामान्य सीमा के साथ-साथ जाती है।

वाई-जेज—ए लाइन वामोदर नदी की मध्य रेखा के साथ-साथ जाती है जो चौरधारा और सिरका ग्रामों की आंशिक सामान्य सीमा, बुंदु ग्राम के प्लाट संख्या 647 और वामोदर नदी में सिरका ग्राम के प्लाट संख्या 1 की सामान्य सीमा है, जो कि सिरका कोलियरी के पट्टा क्षेत्र की सामान्य सीमा बनाती है।

ए—जी' लाइन बुंदु ग्राम में वामोदर नदी के आंशिक बाएं तट के साथ-साथ जाती है।

बी—सी' लाइन बुंदु ग्राम के प्लाट संख्या 681 से होकर जाती है।
सी—डी' लाइन वामोदर नदी की आंशिक मध्य रेखा के साथ-साथ जाती है (जो बुंदु और चौरधारा, चौरधारा और बसरिया और दण्डुप्रा और बसरिया ग्रामों की आंशिक सामान्य सीमा है)।

डी—ई' लाइन बसरिया ग्राम के प्लाट संख्या 434 और गीदी ग्राम के प्लाट संख्या 514 की सामान्य सीमा साथ-साथ जाती है।

ई—बी लाइन गीदी ग्राम में वामोदर नदी के आंशिक सामान्य बाएं तट के साथ-साथ जाती है।

[सं. 25/5/73-सी 5/सी.ई.एल.]

एस० ग्राम० ए० रिजर्वी, उप सचिव

Plot number acquired in village Urimari.—752.
 Plot number acquired in village Garsula.—2722.
 Plot number acquired in village Kurkutta.—629 (part).
 Plot numbers acquired in village Gidi.—666, 214, 339, 504, & 506 (part).
 Plot number acquired in village Deoria Bargarwa.—1 (part).
 Plot number acquired in village Saunda.—1 (part).
 Plot numbers acquired in village Sael.—1 (part), 9 (part), 45, 101 (part) & 102.

BOUNDARY DESCRIPTION OF BLOCK-I:—

A-B line passes through River Damodar i.e. along the Western boundary of plot number 752 of village Urimari and along part common boundary of villages Sael and Sankul.
 B-C line passes along the part Right Bank of River Damodar in village Sael.
 C-D-E-F lines pass through plot number 1, along the Central line of River Damodar and through plot number 9 in village Sael (i.e. along the part common boundary of All Rights area of Sael Colliery acquired u/s 9(1) of Coal Bearing Areas (Acquisition & Development) Act, 1957).
 F-G line passes along the part Right Bank of River Damodar in village Sael.
 G-H-I lines pass through plot number 101 (River Damodar) & along the part Central line of River Damodar (i.e. along the part common boundary of villages Sael & Kurkutta, Sael & Gidi, which forms part common boundary of lease area of Khas Karanpura Colliery in River Damodar).
 I-J-K lines pass along the Central line of River Damodar and along part common boundary of plot numbers 686 & 1 of village Saunda (i.e. along the part common boundary of village Gidi & Saunda) which forms common boundary with the Sand Lease area of 25.98 acres in River Damodar for Saunda Colliery.
 K-L-M lines pass through plot number 1 (River Damodar) (i.e. along the part common boundary of All Rights area of Saunda Colliery acquired u/s 9 (1) of Coal Bearing Areas (Acquisition & Development) Act, 1957).
 M-N-O-P-Q lines pass along the common boundary of plot number 1 (River Damodar) & plot number 23 (River Nakari) of village Saunda, part common boundary of plot number 1 of village Saunda & Plot number 1 of village Deoria Bargarwa, through plot number 1 of village Deoria Bargarwa & plot number 506 of village Gidi (which forms part common boundary with the area granted for sand lease to NCDC Ltd.).
 Q-R line passes along the part left Bank of River Damodar in villages Gidi & Kurkutta.
 R-S-T-U lines pass through plot number 629 of River Damodar, in village Kurkutta (which forms part common boundary with the area acquired u/s 9 (1) of Coal Bearing Area (Acquisition & Development) Act, 1957).
 U-A line passes along the part left Bank of River Damodar in Villages Kurkutta, Garsula and Urimari.

BLOCK-II

All Rights

| Sl. No. | Village | Thana | Thana Number | District Area | Remarks |
|--------------|---------|---------------|--------------|---------------|-----------------|
| 1. Gidi | . | Mandu | 36 | Hazaribagh | Part |
| 2. Bundu | . | " | 39 | " | " |
| 3. Chordhara | . | Ramgarh | 55 | " | " |
| 4. Dundua | . | " | 54 | " | " |
| | | Total Area :— | 160.00 | acres | (approximately) |
| | | or | 64.00 | hectares | (Approximately) |

Plot numbers acquired in village Gidi :— 514, 584 and 585.
 Plot numbers acquired in village Bundu :— 561 (part) and 647.
 Plot numbers acquired in village Dundua :— 1, 66 and 197.
 Plot numbers acquired in village Chordhara :— 1,20, 25, 286, and 304.

BOUNDARY DESCRIPTION OF BLOCK-II

V-W line passes along the Western Boundary of plot No. 585 (River) of Village Gidi and along the common boundary of village Deoria Bargarwa & Dundua in River Damodar.
 W-X line passes along the Right Bank of River Damodar in villages Dundua & Chordhara.
 X-Y line passes along the common boundary of plot No. 304 of village Chordhara and 1220 of village Chaingara.
 Y-Z-A' lines pass along the Central line of River Damodar which is the part common boundary of village Chordhara & Sirkha, common boundary of plot No. 647 of village Bundu & plot no. 1 of village Sirkha in River Damodar, which forms common boundary of lease area of Sirkha Colliery.
 A'-B' line passes along the part left bank of River Damodar in village Bundu.
 B'-C' line passes through plot no. 561 of village Bundu.
 C'-D' line passes along the part Central line of River Damodar (which is the part common boundary of villages Bundu & Chordhara, Chordhara & Basaria and Dundua & Basaria).
 D'-E' line passes along the common boundary of plot no. 434 of village Basaria and plot. no. 514 of village Gidi.
 E-V line passes along the part left bank of River Damodar in village Gidi.

स्वास्थ्य और परिवार नियोजन मंत्रालय
(स्वास्थ्य विभाग)

नई विली, 29 मार्च, 1976

का० आ० 1694.—यह भारतीय चिकित्सा परिषद भविनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (क) का अनुसरण करते हुए तथा पंजाब सरकार के परामर्श से केन्द्रीय सरकार द्वा० मोहिन्दर सिंह ग्रेवाल, नियेशक, अनुसंधान और चिकित्सा शिक्षा, पंजाब को 12 मार्च, 1976 से भारतीय चिकित्सा परिषद का सदस्य मानोनीत करती है, प्रथात्।

यह उक्त भविनियम की धारा 3 की उपधारा (1) का अनुसरण करते हुए केन्द्रीय सरकार एवं द्वारा भारत सरकार के स्वास्थ्य और परिवार नियोजन मंत्रालय की 9 जनवरी 1960 की अधिसूचना संख्या—5-13/59-चिकित्सा-1 में आगे और निम्नलिखित संशोधन करती है; प्रथात्।

उक्त अधिसूचना में "धारा 3 की उपधारा (1) के खण्ड (क) के अंतीम मानोनीत" शब्द के प्रत्यंगत क्रम संख्या 11 और उससे संबंधित प्रविनियोग के स्थान पर निम्नलिखित क्रम संख्या और प्रविनियोग दी जाए; प्रथात्।

"11. द्वा० मोहिन्दर सिंह ग्रेवाल,
नियेशक, अनुसंधान और चिकित्सा शिक्षा,
पंजाब"।

[संख्या आ० 11013/1/76-एम पी टी]

एस० श्रीनिवासन, उप सचिव

MINISTRY OF HEALTH & FAMILY PLANNING
(Department of Health)

New Delhi, the 29th April, 1976

SO. 1694.—Whereas the Central Government has, in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Punjab, nominated Dr. Mohinder Singh Grewal, Director, Research and Medical Education, Punjab, to be a member of the Medical Council of India with effect from the 12th March, 1976;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Health and Family Planning No. 5-13/59-MI, dated the 9th January, 1960, namely:—

In the said notification, under the heading "Nominated under clause (a) of sub-section (1) of section 3", for Serial No. 11 and the entry relating thereto, the following Serial No. and entry shall be substituted, namely:—

"11. Dr. Mohinder Singh Grewal,
Director, Research and Medical Education,
Punjab."

[No. V-11013/1/76-MPT]

S. SRINIVASAN, Dy. Secy.

हृषि और सिंचाई मंत्रालय
(वादा विभाग)

नई विली, 26 मार्च, 1976

का० आ० 1695.—फल उत्पाद प्रावेश, 1955 के खण्ड 3 के उपखण्ड (1) के अनुसरण में भारत सरकार 1-4-1976 से दो वर्ष की अवधि के लिए निम्नलिखित सदस्यों की केन्द्रीय फल उत्पाद सलाहकार समिति एवं द्वारा गठित करती है, प्रथात्:—

| | |
|---|--|
| 1. श्री आर० के० शास्त्री, संयुक्त सचिव, वादा विभाग, हृषि संथा सिंचाई मंत्रालय | प्रध्यक्ष |
| 2. डा० पी० केमल, कार्यकारी नियेशक, वादा तथा पोषाहार बोर्ड, हृषि तथा सिंचाई मंत्रालय, वादा विभाग | उपाध्यक्ष |
| 3. श्री एस० एम० मित्रा, मैसर्स सिलिंग, शर्वत, सिरका, मुराब्बा, मिठा एवं कॉ. प्रा० लिमिटेड, 33, चटनी और प्रचार निर्माताओं के प्रतिनिधि कलकत्ता-700001 | सदस्य |
| 4. श्री ए० सी० बतरा, दि० महाराष्ट्र एप्रो इंडस्ट्रीज डेवलपमेंट कार्पोरेशन लिमिटेड, नोगा फैक्ट्री, मोतीबाग, नागपुर (म० प्र०) | सकाश तथा तैयार परोपने लायक पेयों के निर्माताओं के प्रतिनिधि |
| 5. डा० एन० डी० देसाई, प्रबंध नियेशक, सरस फूड्स, 24, बेलबी सैयद अब्दुल्ला रोड, बम्बई-400001 | डिप्लोमेंट फलों, सब्जियों, जैम, जेली, मारमलेड और टमाटर के पदार्थ निर्माताओं के प्रतिनिधि। |
| 6. श्री एम० पी० भार्गव, मैसर्स मिडलैंप्लस्ट्रीक्स फूट तथा बैजीटेल्स प्रोडक्ट्स (ईंडिया) प्राइवेट लिमिटेड, डाकघर गोदाला इंडस्ट्रियल इस्टेट, नई विली-110020 | डिप्लोमेंट फलों, सब्जियों, जैम, जेली, मारमलेड तथा टमाटर के पदार्थ निर्माताओं के प्रतिनिधि |
| 7. श्री नवरोज दी० कूपा, प्रध्यक्ष, दंडियन फूड प्रोसेसिंग, इडस्ट्रीज एसो-सिएन, द्वारा भरवर्यो, 13/19 बीडोज स्ट्रीट, बम्बई-1 | मुराब्बा, चटनी तथा अचार के लोटे पैमाने के निर्माताओं के प्रतिनिधि |
| 8. श्री वाई० के० कपूर, मैसर्स नार्थपैड इंडस्ट्रीज, 2254, राजगुरु रोड, नई विली-110055 | डिप्लोमेंट फलों, सब्जियों, जैम, जेली तथा मारमलेड के लोटे भैमाने के निर्माताओं के प्रतिनिधि |
| 9. श्री फिरोज पी० मुन्डोले, मैसर्स इयूक एंड संस लिमिटेड, 2-ए, खेतबाड़ी मेन रोड, बम्बई-4 | फल रस या फल की लुगवाई समेत या उसके बिना मीठा एरिटेड बाटर के निर्माताओं के प्रतिनिधि |
| 10. श्री इस्तीफा सिंह, नियेशक, प्लॉयरिंग्स (नई विली) लिमिटेड, कनाट मेन, कनाट लेस, नई विली-110001 | फल रस या फल की सुगंधी समेत या उसके बिना मीठा एरिटेड बाटर के निर्माताओं के प्रतिनिधि |

| | | |
|--|---|--|
| 11. श्री पी० एच० भट्ट, मैसर्स कैरा फल उत्पादों के निर्माण के दिस्ट्रिक्ट होमपरेटिव मिलक प्रोड्यूसर्ज में उपयुक्त तकनीकी योग्यता यूनियन लिमिटेड, आनन्द (गुजरात) रखने वाला व्यक्ति | 3. Shri S.N. Mitra, M/s. Mida & Co. Pvt. Ltd., 33, Biplobi Rashbehari Basu Road, Calcutta-700001 | Members Representative of synthetic syrup, vinegar, murabba, chutney and pickles manufacturers. |
| 12. डा० ए० जी० नायक कुरादे, द्वारा फल उत्पादों के निर्माण के बारे में उपयुक्त तकनीकी योग्यता रखने वाला व्यक्ति सुमन कल्पना-टेस्ट, 59-नेमकुल, नई दिल्ली-110048 | 4. Shri A.C. Batra, The Maharashtra Agro Industries Development Corporation Ltd., Noga Factory, Motibagh, Nagpur (M.P.) | Representative of the squash and ready-to-serve beverages manufacturers. |
| 13. श्री वी० बी० घोबराय, मैसर्स किसान प्रोडक्ट्स लिमिटेड, पोस्ट बाक्स न० 1676, शोल्ड मद्रास रोड, बंगलौर-560016 | 5. Dr. N.D. Desai, Managing Director, Saras Foods, 24, Breli Sayed Abdulla Road, Bombay-400001. | Representative of manufacturers of canned fruits, vegetables, jams, jellies, marmalades and tomato products. |
| 14. कर्नेल शिव किंगोर, मटियाना गोवा निवासी जिला शिमला (हिमाचल प्रदेश) फल तथा सब्जी उत्पादों के प्रतिनिधि | 6. Shri N.P. Bhargava, M/s. Midlands Fruit & Vegetables Products (I) Pvt. Ltd., P.O. Okhla Industrial Estate, New Delhi-110020. | Representative of manufacturers of canned fruits, vegetables, jams, jellies, marmalade and tomato products. |
| 15. श्री आनन्दरामैया, श्री रंगपतना, जिला मंडिया फल तथा सब्जी उत्पादों के प्रतिनिधि | 7. Shri Naoroj D. Kooka, President, Indian Food Processing Industry Association, C/o. ARDEO, 13/19, Medows street, Bombay-1. | Representative of small scale manufacturers of murabba, chutney and pickles. |
| 16. डा० बी० एस० अमला, निदेशक, केन्द्रीय खाद्य औषधिक अनुसंधान संस्थान, बी० बी० मोहल्ला, मैसूर-570002 | 8. Shri Y.K. Kapoor, M/s. Northland Industries, 2254, Rajguru Road, New Delhi-110055. | Representative of small scale manufacturers of canned fruits, vegetables, jams, jellies and marmalades. |
| 17. श्री जे० पी० नौहियाल, निदेशक (आगामानी), कृषि विभाग, कृषि भवन, नई दिल्ली भारत सरकार के कृषि आयुक्तों के प्रतिनिधि | 9. Shri Pheroze P. Pundole, M/s. Duke & Sons Ltd., 2-A, Khetwadi Main Road, Bombay-4. | Representative of manufacturers of Sweetened Aerated Waters with or without fruit juice or fruit pulp. |
| 18. श्री शी० एस० चड्डा, सचिव, केन्द्रीय खाद्य मानक समिति, स्वास्थ्य सेवाओं का महानिवेशालय, निर्माण भवन, नई दिल्ली-110011 | 10. Shri Daljit Singh, Director, Pure Drinks, (New Delhi) Ltd., Cannaught Lane, Cannaught Place, New Delhi-110001. | Representative of manufacturers of Sweetened Aerated Waters with or without fruit juice or fruit pulp. |
| 19. श्री टी० पूर्णनन्दन, हैड (कृषि तथा आद्य) भारतीय मानक संस्थान, मानक भवन, ९-बहादुर शाह जफर मार्ग, नई दिल्ली १ | 11. Shri P.H. Bhatt, M/s. Kaira District Cooperative Milk Producers Union Ltd., Anand (Gujarat). | Person possessing suitable technical qualifications with regard to the manufacture of fruit products. |
| 20. श्री दया नन्द, निदेशक (फल तथा सब्जी परिष्कारण) खाद्य विभाग, कृषि तथा सिवाई मंत्रालय, नई दिल्ली १ | 12. Dr. A.G. Naik Kurade, C/o. Suman Consultants, 59, Hemkunt, New Delhi-110048. | Person possessing suitable technical qualifications with regard to the manufacture of fruit products. |
| [संख्या 9/2/75-एफ० गन० बी०-४] टी० आर० परमेश्वरन, उप सचिव | 13. Shri V.B. Oberoi, M/s. Kisan Products Ltd., Post Box No.1676, Old Madras Road, Bangalore-560016. | Representative of the exporters of fruit and vegetable products. |

**MINISTRY OF AGRICULTURE & IRRIGATION
(Department of Food)**

New Delhi, the 26th March, 1976

S.O. 1695.—In pursuance of sub-clause (i) of clause 3 of the Fruit Products Order, 1955, the Central Government hereby constitutes for a period of two years with effect from 1-4-1976 the Central Fruit Products Advisory Committee consisting of the following members, namely :

| | | | |
|--|---------------|--|---|
| 1. Shri R.K. Shastri, Joint Secretary Department of Food, Ministry of Agriculture & Irrigation. | Chairman | 14. Col. Shiv Kishore, Resident of Village Matian a Distt. Simla (H.P.) | Representative of fruit and vegetable growers. |
| 2. Dr. P.K. Kymal, Executive Director, Food & Nutrition Board, Department of Food, Ministry of Agriculture and Irrigation. | Vice-Chairman | 15. Shri Anandaramayya, Srirangapatna, Distt. Mandya. | Representative of fruit and vegetable growers. |
| | | 16. Dr. B.L. Amla, Director, Central Food Technological Research Institute, V.V. Mohalla, Mysore-570002. | Representative of Central Food Technological Research Institute, Mysore. |
| | | 17. Shri J.P. Nauriyal, Director, (Horticulture). Department of Agriculture, Krishi Bhavan, New Delhi. | Representative of the Agricultural Commissioner to the Government of India. |

| | | |
|--|--|--|
| 18. Shri D.S. Chaddha, Secretary, Central Committee for Food Standards, Directorate General of Health Services, Nirman Bhavan, New Delhi-110011. | Representative of Ministry of Health and Family Planning. | 9. Bahadur Shah Zafar Marg, New Delhi-110001. |
| 19. Shri T. Purananandam, Head (Agri. & Food), Indian Standards Institution, Manak Bhavan, | Representative of Indian Standards Institution. | 20. Shri Daya Nand, Director (Fruit & Vegetable Preservation), Department of Food, Ministry of Agriculture and Irrigation, New Delhi. Member-Secretary |
| | | [No. 9/2/75-FNB.IV] T. R. PARAMESHWARAN, Dy. Secy. |

(प्राम विकास विभाग)

तर्द दिल्ली, 29 अप्रैल, 1976

का० प्रा० 1696.—केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और अंकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रवर्त शक्तियों का प्रयोग करते हुए, सौफ (साबुत और पिसी हुई), मेथी (साबुत और पिसी हुई) और सेलेरी सीड (साबुत) श्रेणीकरण और अंकन नियम, 1967 में कठिपय और संशोधन करना चाही है। जैसा कि उत्तर धारा में अधिकृत है, प्रस्तावित संशोधन नियमों का निम्नलिखित प्रारूप उन सभी व्यक्तियों की जानकारी के लिये प्रकाशित किया जा रहा है जिनके उससे प्रभावित होने की संभावना है। इसके द्वारा सूक्ष्मा दी जाती है कि उक्त प्रारूप पर इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से पैतालीस दिन की समाप्ति पर या उसके पश्चात् विचार किया जायेगा।

उपरोक्त अवधि की समाप्ति से पूर्व संशोधन के उक्त प्रारूप की आवश्यकता भी आधिकृत या सुझाव किसी व्यक्ति से प्राप्त होगा, केन्द्रीय सरकार उस पर विचार करेगी।

नियमों का प्रारूप

1. (1) मे नियम सौफ (साबुत और पिसी हुई) मेथी (साबुत और पिसी हुई) और सेलेरी सीड (साबुत) श्रेणीकरण और अंकन (संशोधन) नियम, 1976 है।
 (2) मे राजपत्र में प्रकाशन की तारीख को प्रकृत होये।
 2. सौफ (साबुत और पिसी हुई), मेथी (साबुत और पिसी हुई) और सेलेरी सीड (साबुत) श्रेणीकरण और अंकन नियम, 1967 में—
 (क) अनुसूची III के स्थान पर, निम्नलिखित अनुसूची रखी जायेगी, अर्थात्—

अनुसूची-III

(नियम 3 और 4 देखिए)

सौफ पाउडर का श्रेणी अभियान और क्यालिटी की परिभाषा

| श्रेणी अभियान | विशेष लक्षण | सामान्य लक्षण | | | |
|---------------------------------|-------------------------------------|---|-----|-----|---|
| नमी, भार द्वारा प्रतिशत, अधिकतम | कुल भस्म भार द्वारा प्रतिशत, अधिकतम | भ्रम्म अविलेय भस्म भार द्वारा प्रतिशत, अधिकतम | | | |
| | | बाष्पशील तेल, भार द्वारा, प्रसिद्ध | | | |
| | | शत व्यूनतम | | | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| मानक | 12.0 | 9.0 | 2.0 | 1.0 | सौफ पाउडर, सूखे पके साबुत सौफ फलों को पीस कर प्राप्त किया हुआ पदार्थ होगा। वह अधिकृत से मुक्त, फांदी, कीटप्रसन या फूल दार गम्भीर से मुक्त होगा। वह स्थल कणों से मुक्त होगा और इसना बारीक पिसा हुआ होगा कि वह पूरा का पूरा 500 माइक्रोमीटर की जास्ती में से निकल जाये। |

(ख) भनुसूची V के स्थान पर, निम्नलिखित भनुसूची रखी जायेगी, अर्थात्:—

भनुसूची V

(नियम 3 और 4 देखिए)

मेथी पाउडर का श्रेणी अभिधान और क्वालिटी की परिभाषा

श्रेणी अभिधान

विशेष लक्षण

सामान्य लक्षण

| | | |
|---|---|--|
| नमी, भारद्वारा कुल भस्म, भार प्रस्तुत अधिकतम प्रतिशत भारद्वारा प्रतिशतम, अधिकतम | प्रस्तुत अधिकतम भस्म भारद्वारा प्रतिशतम, अधिकतम | कुल शीतल जल विलेय सत्त्व, भारद्वारा प्रतिशत, न्यूनतम |
|---|---|--|

| 1 | 2 | 3 | 4 | 5 | 6 |
|------|------|-----|-----|------|--|
| मानक | 10.0 | 7.0 | 2.0 | 30.0 | मेथी पाउडर, सूखे पके साबुत मेथी बीजों को पीसकर ग्रास किया हुआ पदार्थ होगा। वह अधिमश्रण से मुक्त, फूटनी, कीट-ग्रसन या फफ्वेदार गत्थ से मुक्त होगा। वह स्थूल कणों से मुक्त होगा और इतना बारीक पिसा हुआ होगा कि वह पूरा का पूरा 500 माइक्रोन की जाली में से निकल जाये।" |

[का० सं० 13-14/75-ए० एम०]

आर० एन० बख्शी, अवर सचिव

(Department of Rural Development)

New Delhi, the 29th April, 1976

S.O. 1696.—The following draft of certain rules further to amend the Fennel (Whole and Ground) Fenugreek (Whole and Ground) and Celery Seeds (Whole) Granding and Marking Rule 1967, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is hereby published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of forty-five days from the date of publication of this Notification in the Official Gazette.

Any objection or suggestion which may be received from any person with regard to the said draft amendment before the expiry of the period so specified will be considered by the Central Government.

DRAFT RULES

1. (1) These Rules Way be called Fennel (Whole and Ground), Fenugreek (Whole and Ground) and Celery Seed (Whole) Grading and Marking (Amendment) Rules, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Fennel (Whole and Groundnut), Fenugreek (Whole and Groundnut) and Celery Seed Grading and Marking Rules, 1967,—
(a) for Schedule III, the following Schedule shall be substituted, namely :—

"SCHEDULE-III"

(See rules 3 and 4)

Grade designation and definition of quality of Fennel Power

| Grade Designation | Special characteristics | | | | General characteristics |
|-------------------|--|---|--|--|---|
| | Moisture, percentage by weight maximum | Total Ash, percentage by weight maximum | Acid insoluble ash, percentage by weight maximum | Volatile oil, percentage by weight minimum | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| Standard | 12.0 | 9.0 | 2.0 | 1.0 | Fennel powder shall be the material obtained by grinding the dried ripe fennel fruits, whole. It shall be free from admixture from mould growth, insect infestation or musty odour. It shall be free from coarse particulars and ground to such a fineness that the whole of it passes through a 500-micron size-mesh"; |

(b) for Schedule V, the following Schedule shall be substituted, namely :—

“SCHEDULE-V”

(See rules 3 and 4)

Grade designation and definition of quality of Fenugreek Powder

| Grade | Designation | Special characteristics | | | | General Characteristics |
|----------|-------------|--|---|--|--|--|
| | | Moisture, percentage by weight maximum | Total Ash, percentage by weight maximum | Acid insoluble has, percentage by weight maximum | Total cold water soluble extract, percentage by weight minimum | |
| 1 | 2 | 3 | 4 | 5 | 6 | |
| Standard | | 10.0 | 7.0 | 2.0 | 30.0 | Fenugreek powder shall be the material obtained by grinding the dried ripe fenugreek seeds, whole. It shall be free from admixture, free from mould growth, insect infestation or musty odour. It should be free from coarse particles and ground to such a fineness that the whole of it passes through a 500-micro size mesh”; |

(हृषि विभाग)

नई दिल्ली, 26 अप्रैल, 1976

मादेश

क्रा० ग्रा० 1897.—राष्ट्रपति केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण तथा अपील) नियम, 1965 के नियम 24 के उप-नियम (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, यह निवेदा देते हैं कि—

- (क) हृषि, विभाग में साधारण केन्द्रीय सेवा, समूह 'ग' पदों,
- (ख) हृषि विभाग के संलग्न और प्रधीनस्थ कार्यालयों में वहाँ के सिवाय जहाँ कार्यालय का प्रधान विभाग के प्रधान प्रधिकारी का प्रधीनस्थ हो, साधारण केन्द्रीय सेवा, समूह 'ग' पदों,
- (ग) हृषि विभाग के सलगन/प्रधीनस्थ कार्यालयों में वहाँ के सिवाय जहाँ कार्यालय का प्रधान विभाग के प्रधान प्रधिकारी का प्रधीनस्थ हो, साधारण केन्द्रीय सेवा, समूह 'ध' पदों और
- (घ) हृषि विभाग के सलगन/प्रधीनस्थ कार्यालयों में जहाँ कार्यालय का वहाँ के सिवाय जहाँ कार्यालय का प्रधान विभाग के प्रधान प्रधिकारी का प्रधीनस्थ हो, परन्तु विभाग के प्रधान प्रधिकारी ने मनुषासनिक प्राधिकारी को हैसियत से कार्य किया हो, साधारण केन्द्रीय सेवा, समूह 'ग' और समूह 'ध' पदों,

के संबंध में उक्त नियमों से उपावद्ध अनुसूची के भाग 3 को मद 4(1) और 4(2) और भाग 4 की मद 1(2) स्तम्भ 6 में विहित उपबन्धों के प्रधार पर अपील प्रधिकारी की हैसियत से हृषि विभाग के सचिव द्वारा प्रयोग की जा रही शक्तियों का प्रयोग इस प्रधिसूचना के प्रकाशन की तारीख से निम्नलिखित कार्यालयों प्रथम—

- (1) दिल्ली दूध योजना,
- (2) हृषि मूल्य आयोग
- (3) बन अनुसन्धान संस्थान एवं महाविद्यालय को छोड़कर, हृषि विभाग में प्रशासन के कार्यकारी संयुक्त सचिव द्वारा किया जाएगा।

[संख्या 50-56/73-व० स्था० 3]

रा० सुनाम्पाण्यम्, अवरसंचिव

[No. F-13-14/75-AM]

R. N. BAKSHI, Under Secy.

(Department of Agriculture)

New Delhi, the 26th April, 1976

ORDER

S.O. 1697.—In exercise of the powers conferred by sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby directs that in respect of—

- (a) General Central Service, Group 'C' posts, in the Department of Agriculture,
- (b) General Central Service, Group 'C' posts, in Attached and Subordinate Offices of the Department of Agriculture, except where the Head of Office is subordinate to a Head of Department,
- (c) General Central Service, Group 'D' posts, in Attached and Subordinate Offices of the Department of Agriculture, except where the Head of Office is Subordinate to a Head of Department, and
- (d) General Central Service, Group 'C' and Group 'D' posts in Attached/Subordinate Offices of the Department of Agriculture where the Head of Office is subordinate to a Head of Department but the Head of Department has acted as disciplinary authority,

the powers exercised by the Secretary, Department of Agriculture, as the Appellate Authority by virtue of the provisions contained in column 6 of Item 4(i) and (ii) of Part III, and Item 1(ii) of Part IV, of the Schedule to the said rules shall be exercised by the Joint Secretary incharge of Administration in the Department of Agriculture with effect from the date of publication of this notification, except in the case of the following offices namely :—

- (1) Delhi Milk Scheme,
- (2) Agricultural Prices Commission,
- (3) Forest Research Institute & Colleges.

[No. 50-56/73-EE. III]

R. SUBRAHMANIAM, Under Secy.

संचार भवालय

(डाक-तार और)

नई दिल्ली, 7 मई, 1976

क्रा० ग्रा० 1698—स्थायी मादेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के

नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिवेशक ने ईडर टेलीफोन केन्द्र में दिनांक 1-6-76 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5/11/76-पीएचबी]

**MINISTRY OF COMMUNICATIONS
(P&T Board)**

New Delhi, the 7th May, 1976

S.O. 1698.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1-6-76 as the date on which the Measured Rate System will be introduced in Idar Telephone Exchange, Gujarat Circle.

[No. 5-11/76-PHB]

नई दिल्ली, 10 मई, 1976

का० आ० 1699.—अस्थायी प्रादेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम, 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिवेशक ने बलिया टेलीफोन केन्द्र में दिनांक 1-6-76 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-3/76 पीएचबी]

पी० सी० गुप्ता, सहायक महानिवेशक (पी०एच०बी)

New Delhi, the 10th May, 1976

S.O. 1699.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1-6-76 as the date on which the Measured Rate System will be introduced in Ballia Telephone Exchange, U.P. Circle.

[No. 5-3/76-PHB]

P C. GUPTA, Assistant Director General (PHB)

श्रम संवादालय

आदेश

नई दिल्ली, 28 फरवरी, 1976

का० आ० 1700.—केन्द्रीय सरकार की राय है कि इससे उपायद अनुसूची में विनिविष्ट विषयों के बारे में पंजाब नेशनल बैंक के प्रबंधतात्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ग्रीष्मोगिक विवाद विचारात्मक है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के सिए निर्वैशित करना बाधनीय समझती है;

ग्रह, ग्रह, ग्रीष्मोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (ष) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7 के अधीन गठित ग्रीष्मोगिक अधिकारण, कलचरा को न्यायनिर्णय के लिए निर्वैशित करती है।

21 GI/76—4

अनुसूची

क्या पंजाब नेशनल बैंक के प्रबंधतात्र की उक्त बैंक के चालक, श्री गोलाम दस्तागीर की सेवाएँ 27 मई, 1976 से समाप्त करने की कार्रवाई न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुसूची का हक्कदार है?

[संख्या ए०-12012/152/75-डी-II/ए]

MINISTRY OF LABOUR

ORDER

New Delhi, the 28th February, 1976

S.O. 1700.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank and their workman in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

THE SCHEDULE

Whether the action of the Management of the Punjab National Bank is justified in terminating the services of Shri Golam Dastagir, Driver of the said Bank with effect from the 27th May 1975? If not, to what relief is the said workman entitled?

[No. L-12012/152/75/DII/A]

आदेश

नई दिल्ली, 11 मार्च, 1976

का० आ० 1701.—केन्द्रीय सरकार की राय है कि इससे उपायद अनुसूची में विनिविष्ट विषय के बारे में भारतीय स्टेट बैंक से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ग्रीष्मोगिक विवाद विचारात्मक है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्वैशित करना बाधनीय समझती है;

ग्रह, ग्रह, ग्रीष्मोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7 की उपधारा (1) के खण्ड (ष) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक ग्रीष्मोगिक अधिकारण गठित करती है जिसके पीठातीन अधिकारी श्री दी० नरसिंह राव हों, जिनका मुख्यालय हैवराबाद में होगा और उक्त विवाद को उक्त अधिकारण को न्यायनिर्णय के लिए निर्वैशित करती है।

अनुसूची

क्या भारतीय स्टेट बैंक, हैवराबाद के प्रबंधतात्र द्वारा 23 जुलाई, 1975 से श्री पारम रामुला, संदेशवाहक की सेवा समाप्त करना न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुसूची का हक्कदार है;

[सं० ए०-12012/168/75-डी-II-ए]

ORDER

New Delhi, the 11th March, 1976

S.O. 1701.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the State Bank of India and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Narasing Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

THE SCHFDULE

Whether the termination of service with effect from the 23rd July, 1975 of Shri Parasha Ramula, Messenger, by the Management of the State Bank of India, Hyderabad is justified? If not, to what relief is the said workman entitled?

[No. L-12012/168/75/D.II/A]

New Delhi, the 31st May, 1976

S.O. 1702.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Andhra Pradesh, Hyderabad in the industrial dispute between the employers in relation to the Management of State Bank of Hyderabad and their workmen, which was received by the Central Government on the 26th April, 1976.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

PRESENT:

Sri T. Narasing Rao, M.A., LL.B., Industrial Tribunal, Hyderabad.

Industrial Dispute No. 45 of 1975

BETWEEN

Workmen of State Bank of Hyderabad, Head Office, Gunfoundry, Hyderabad.

AND

The Management, State Bank of Hyderabad, Head Office, Gunfoundry, Hyderabad.

APPEARANCES:

Sri K. Satyanarayana, Advocate—for Workmen.

Sri K. Srinivasa Murthy, Advocate—for Management.

AWARD

The Government of India in Ministry of Labour through Notification No. L-12012/105/75/DII/A dated 27th October, 1975 referred the industrial dispute between the employers in relation to the State Bank of Hyderabad and their workmen under Section 7A and 10(1)(d) of the Industrial Disputes Act, 1947 (which would hereinafter be called the Act) to the Tribunal for adjudication on the following issue:

"Whether the action of the management of the State Bank of Hyderabad Head Office, Gunfoundry Hyderabad, in terminating the services of Shri Jagath Pershad, Ex-Godown Watchman, in November 1974 without taking into account his previous service is legal and justified? If not, to what relief is the said workman entitled?"

2. The reference was registered as Industrial Dispute No. 45 of 1975 and notices were directed to the claimant and to the Management. The claimant filed claims statement alleging that he was appointed as a Watchman temporarily in the State Bank of Hyderabad, City Branch, Patterghati Hyderabad from 13th August, 1970 to 29th December, 1973 but again he was appointed temporarily as Godown Chowkidar from 8th January 1974 to 19th November 1974 at Gunfoundry office on his representation. Thus first he worked for three years and five months continuously with 18 days break in service and on his subsequent appointment in the month of January, 1974, he worked for eight months only with a break of seven days. It is alleged by him that the post on which he was working was a permanent one, and that inspite of continuous service of four years and one month his services were terminated and some other persons were employed in his place. The Manager of the State Bank of Hyderabad, City Branch Patterghati through his letter dated 3-7-1973 is said to have recommended for absorption on appointment of this claimant in the permanent establishment of the Bank. On the termination of his service the claimant is said to have also made an application on 3rd December 1974 for absorption or appointment as godown chowkidar or watchman on the permanent establishment of the Bank. On account of termination the claimant his family is said to be put to great difficulty. It is however contended that as per the All India Industrial Tribunal Award and as per bipartite Settlement he is to be deemed a confirmed workman. As per Clause 20.8 of the Bipartite Settlement it is said that he is liable for permanent appointment. It is thus prayed that by taking his previous service into account his reinstatement is to be directed with back wages and other attendant benefits.

3. In the counter filed by the Management it is inter alia alleged that there was no industrial dispute within the meaning of Section 2-A or 2(K) of the Act, so that the Tribunal could adjudicate upon. The reference is said to be erroneous and does not give jurisdiction to the Tribunal. It is contended that there was no termination of the services of the claimant by the Respondent in November 1974 and consequently the validity or otherwise of the action of the Respondent does not arise. The reference is said to be contrary to the very plea of the claimant which is now contained in the claims statement which was initially addressed to the Commissioner of Labour. Thus it is contended that the proceedings are to be dismissed in limine as not maintainable. It is alternatively contended that the claimant is not entitled to the relief asked for by him in his application on 29th April, 1975 addressed to the Commissioner, which is also the claims statement now filed. Para 20.8 of the Bipartite Settlement is said to have no application as the claimant was not appointed in any permanent vacancy and that the claimant is also not qualified for such appointment having regard to the Banks recruitment Rules. The claimant is said to have not completed one year service as temporary godown Watchman. It is also contended that Desai's Award does not provide for absorption in permanent service of a temporary godown chowkidar appointed for looking after the godowns of the constituents of the Bank to whom loans were advanced by it. The claimant is said to have been appointed temporarily from time to time during the year 1974 as Godown Chowkidar to look after the godowns of one of the constituents of the Bank availing facilities at its Gunfoundry office. The services of the claimant, it is contended, stood automatically terminated by efflux of time as per the appointment order dated 20th September 1974. On the basis of the temporary appointment, it is contended that the claimant cannot have a right for permanent absorption. It is also averred that Clauses 20.9 and 10.10 of the Bipartite Settlement have no application. During the years 1970-71, 1972-73 the claimant is alleged to have been appointed as a casual on daily wage basis to look after the godown of one M/s. Mahmoodia Printing Press of the Patterghati Branch. That appointment is said to be on casual basis and cannot be treated as a permanent vacancy in as much as the goods or the machinery stored in that godown were held only as a security for the advances made by the Bank to that party. It is contended that there was no permanent basis of godown chowkidar required by that Branch in relation to godown of Mahmoodia Printing Press or any other godown of the constituent availing facility at the city branch or the Gunfoundry office where the claimant was subsequently appointed on temporary basis during the year 1974. It is thus contended that there was no permanent post of Godown chowkidar either at the city

Branch or Gunfoundry Branch. The appointment of the claimant is said to have been for a specific work and for a specific period and that the employment automatically came to an end on the expiry of such period and consequently there was no termination of the services of the claimant and thus no question of reinstatement or permanent employment of the claimant would arise. It is contended that merely because the claimant was appointed temporarily on more than one occasion in relation to a particular work of temporary nature he has no right for permanent absorption. It is also contended that the claimant is not qualified and does not satisfy the recruitment rules for being absorbed permanently in the service of the Bank. It is however denied that the claimant was working in any permanent post as alleged by him in his claims statement. Thus the dismissal of the claim was sought.

4. The claimant filed a rejoinder contending that the relevant considerations for deciding the issue in question were as to what was the previous service of the claimant and whether it was continuous and whether he was employed in a post of a permanent nature and whether the previous service if held to be continuous would give him the right to continue in service. The contention of the Management that the reference is bad is said to be an out dated technical approach. The claimant's wages as per his appointment on 13-7-1970 were said to be daily rated, on a basis of Rs. 5.00 per day paid once in a month. It is however denied that his employment at that stage was casual as he was not employed merely for a day or two. The supervision of the godowns of the constituents to whom the Bank advances loans is said to be work of a regular nature, as securing hypothecation of the loanees property as a guarantee is said to be vital and regular function of the Bank. Thus the claimant is said to have been continuously employed from 13-8-1970 to 19-11-1974 with artificial breaks deliberately given by the Management for short periods so as to dub each employment as a fresh employment. It is however averred that it is incorrect to say that the claimant was employed for a specific period or specific work for watching the godowns of the third party constituents. It is contended that the watch of the Godowns of the constituents is of a regular nature. The appointment shown as temporary is said to be illegal and inequitable. The Tribunal is said to be vested with jurisdiction to scrutinise the nature of the work and duties entrusted to the claimant and thus determine his claim for permanency. It is also contended that it is not open to the Respondent to contend that the claimant is not qualified to be absorbed into the permanent service of the Respondent in as much as the very Respondent has been employing the claimant for long years and it is therefore estopped by principles of equity and law. The artificial breaks of 18 days in a continuous service of three years five months are said to be mala fide creations. It is also contended that the three months continuous service to the satisfaction of the Management would entitle an employee for being considered for permanency in the Bank service. Even otherwise the continuous service of 240 days in a calendar year would confer permanency under the industrial law. The service of the claimant for 3-1/2 years cannot be construed as casual or temporary. The Respondent, it is contended cannot invoke at a belated stage the recruitment rules, when it is engaged in all round expansion programme. It is also claimed that the reinstatement of the claimant with back wages would only be in conformity with principles of equity and social justice and the changing law of the land. Thus the prayer for reinstatement with back wages was reiterated.

5. The claimant examined himself as W.W. 1 and relied upon Ext. W1 to W11. In rebuttal the Management examined M.W. 1, is Officer working in the Staff Department and relied upon Exs. M1 to M9 by way of documentary evidence.

6. The grievance of the workman is that the Management terminated his services in November 1974 without taking into account his previous service. The workman till the date of his termination of service was admittedly a Godown Watchman. The practice of the Bank as deposed by M.W.1 is that the Bank advances loans to its constituents on hypothecation of certain properties as security. The properties thus hypothecated would be under the custody of the Bank till the loan is cleared by the constituent. The Godown Watchman are employed by the Bank to watch the godowns and their charges though initially paid by the Bank are recovered from the Loanees. It is however, follows that the appointment of the Watchman or the godown keeper is by

the Bank itself. Ex.W2 is a certificate issued by the Manager of the Branch which shows that from the date of appointment in August 1970 the claimant was continuing till June 28th, 1973 and even thereafter with a few breaks of two days in the month of January, 1971, and two days break in the month of August, 1971, and two days break in December 1971, and two days break in the month of March 1972, and two days break in May 1972, and 2 days break in August 1972, and two days break in October, 1972 and two days break in January, 1973. Thereafter till the end of 1973 there were no breaks whatsoever. Admittedly his services were terminated on 29th December 1973. On an application filed by the claimant on 1-1-1974 as per Ex.W4 he was appointed as Godown Chowkidar to watch Jay Industries, Hydrabad from 8th January 1974. That appointment was a temporary appointment for two months ending with 7th March 1974. From 11th March 1974 again he was appointed upto 10th May 1974. From 13th May 1974 he was appointed upto 12th July 1974. From 17th July 1974 he appointed upto 16th September 1974. The last appointment was from 20th September 1974 to 19th November 1974, on which date his services were terminated. It is averred in the counter that from 1970 to 1973 the Petitioner-claimant was appointed on daily wages at the Godown of one party M/s. Mahmoodia Printing Press of the Pattarghatti Branch. Thus upto the end of 1973 December the claimant was working as a Godown Watchman of that constituent with a few breaks of service not exceeding two days at a time. From 8th January 1974 to 19th November 1974 there were in all three breaks not exceeding four days at any time. I may here itself note that it is not the case of the Respondent-Management that during the those break of service of the claimant between 1970 to 1973 or 8th January 1974 to 19th November 1974 any other Watchman was employed at the respective godowns. As against this background I would now consider the contentions advanced on either side.

7. At the outset Mr. Srinivasa Murthy the learned counsel for the Management would urge that there is no industrial dispute whatsoever within the meaning of Section 2A of the Act. I am in full agreement with him to the extent that there is no industrial dispute within the meaning of Section 2K of the Act. But the petition with reference to Section 2A of the Act is different. The case of the workman is that if his previous service was taken into account he would not have been discharged as, according to him under the provisions of the Bipartite Settlement he was entitled to be made permanent. It is alternatively contended by Mr. K. Satyanarayana the learned counsel for the workman that if the artificial breaks were not affected, the claimant would have been entitled, though a temporary workman to the benefits accruing under the Shops and Establishments Act. It was alternatively contended that his recruitment could have been regularised by relaxing the qualifications required for this post. What was contended by Srinivasamurthy is that the last order of appointment has fixed the period and on efflux of that period of appointment the service came to an automatic end, and therefore there was no action by the Management in terminating the services of the claimant. There was thus, it was contended, no positive action on the part of the Management and therefore no dispute arises under Section 2A of the Act. He relies upon a ruling of a Calcutta High Court reported in 1976 Labour & Industrial Cases page 202 wherein it is held:

"In order to attract Section 2A there must be an action of an employer against the workman. But if the dispute is whether there was any relationship of employer and workman between them such a dispute cannot be the subject matter of reference under Section 2A".

Evidently the facts of that case are different. The only question is whether there is an action of the Management or the employer against the workman in the instant case so as to hold that the reference under Section 2A is valid. It is profitable to read Section 2A in this context which is as follows :

"Where any employer discharges, dismisses, retrenches or otherwise terminates the services of an individual workman, any dispute or difference between that workman and his employer connected with, or arising out of such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute notwithstanding that no other workman nor any union of workman is party to the dispute."

The Section, as is worded, takes into its ambit not only the direct question of termination of service but any dispute connected, with such termination or arising out of such termination. Since the grievance of the workman is that the termination (the termination on 19th November, 1974) in question is not valid and could not be a valid one had his previous service been taken into account, it is certainly a dispute arising out of the termination. It might be that apparently as per the order of appointment, the services of the claimant ceased to be on an account of efflux of time yet the dispute raised is connected with that termination. The section to my mind is comprehensive enough and takes into ambit the present dispute. Thus I hold that there is no substance in the contention of the Management that the reference is bad or that the dispute is not one within the meaning of Section 2A of the Act.

8. It can be noted that the watch of a particular godown of a particular constituent by itself may not be and cannot be a permanent work of the Bank. But it is legitimate to hold that if not more at least 50 to 60 percent of the work of the Bank lies in advancing loans to its constituents on securing hypothecation of the property. For that purpose the Bank has to necessarily engage a number of godown keepers, though this number may vary from time to time or from month to month or year to year. But the fact remains that it has the need to maintain a certain compliment of Godown Keepers. Probably for this reason, Circular Ex. M 9 was issued by the Head Office of the Bank laying down the qualifications with regard to the appointment of cashier cum-Godown Keepers and Peons or Chowkidars. It would appear from a perusal of Ex. M9 that the Chowkidar or Peons would come under the Subordinate cadre as specified therein. That circular was issued on 20th April, 1970. The appointment of this claimant was in the month of August 1970. As per the counter from 19th August 1970 to 29th December 1973 the claimant was the sole Watchman of Mahmoodia Printing Press Godown, a constituent-loanee of the Bank. Though it cannot be said that a particular constituent would be a permanent Loanees or that the watch of a particular godown is a permanent work of a Bank, it can as well be said that some posts of godown watchman, regardless of their specific number are permanent. At any rate in view of the very business of the Bank the work of Watch of the godown is a permanent one. I will advert to the question whether subsequent to the issue of the circular Ex. M9 whether the claimant was entitled to be recruited even at the stage of his temporary appointment. But suffice it to say that the break given in the service of the workman either from August 1970 to 1973 or 8th January 1974 to November, 1974 are really artificial and there is no explanation from the Management as to why such breaks are given. The only inference is that the claimant was sought to be deprived of the continued service by issuing letters of temporary appointments. I have already noted above that it is not the case of the Management even that during the short spells of the break of three or four days for every two or three months, some other Godown Keeper was placed at those stations. M.W.1 is also at a loss to say that the work of watching godown of M/s. Jay Industries has come to an end from 19th November and thereafterwards. It can be repeated that from 8th January to 19th November the claimant was made to watch that Godown of M/s Jay Industries itself as he was made to watch the godown of a single constituent in between 1970 to the end of 1973. This would also give an indication that the hypothecation is by itself for a stipulated period. It cannot be said that even during the year 1974 the appointments of the claimant were made temporarily because the Bank has no idea as to when the Loan would be liquidated. No material is placed by the Respondent-Management to show that no time was stipulated for the clearance of the Jay Industries, consequent to which the godown has to be released. On the other hand if the period of or length of hypothecation with regard to Mahmoodia Printing Press is any guide, the hypothecation of Jay Industries even for more than a year could be said to have been stipulated in the beginning itself. If that is so there could have been straightaway an order of appointment of the Godown Watchman or Keeper for a specific period at a time. But on the other hand the Bank is careful enough to make the appointment for a short period of two or three months. The practice on the face of it is artificial and intended to deprive the workman the benefits that would accrue to him under law, though the appointment is a temporary one. As noted above the need for the appointment of a godown watchman in relation to a particular constituent may be a temporary one. But obtaining security of

property being an essential function of the Bank the work of a godown watchman can be said to be a permanent watch. In this industrial dispute it is neither permissible nor necessary nor possible to hold what should be the compliment of Godown Keepers having regard to the volume of loans advanced and the number of constituents, or to fix the requirement of the Bank in terms of number of Godown Keepers, or Watchmen. That aspect has certainly bearing on the question whether this Watchman was entitled to be absorbed in case he is found eligible. In the absence of any evidence that during the short spells of break in the service of this claimant with regard to his work with the two particular godowns throughout it can only be said that his service was a continuous one. At any rate his service from 8th January 1974 to 19th November 1974 can be said to be continuous for the purpose of this case. It should not be meant to be understood that his services from August 1970 to 29th December 1973 are held to be not continuous. I have no hesitation in my mind in holding even that service was continuous. It was rightly contended for the claimant that continuity of service does not necessarily be legal continuity but only continuity in fact. He placed reliance on the observations of a ruling of the Bombay High Court reported in 1958 (I) LLJ, page 36 on page 40. I would go a little further and held that artificial breaks are created in the service of this claimant with a view to deprive him of certain benefits. The contention of the Management that every appointment or termination was in accordance with the contract of appointment, cannot be given weight in considering the question of continuity of service. In the ruling of the Bombay High Court referred to above (1958 (I) LLJ, page 36) it is held that the doctrine of sanctity of contract held good in nineteenth century but it is now obsolete and it is the duty of an industrial court or Tribunal to modify the contractual rights and obligations if it becomes necessary to do so in the light of industrial legislation and legal decisions relating thereto. That decisions was rendered with regard to the question relating to continuity of service. The breaks constituted in the present case are certainly malafide. It was the contention of Mr. Srinivasamurthy the learned counsel for the Management that admittedly the workman's appointment was on daily wages or weekly wages and therefore he is a casual labour. The payment of wages may be daily or weekly as admitted by W.W. 1 himself. But according to M.W. 1 the appointment was monthwise. M.W.1 is also not in a position to swear that the watch of godown of Jay Industries has come to an end with 19th November, 1974. The work of Watch of any godown as noted above is a part and parcel of the work of the Bank. It is of some permanent nature and not of a casual nature. That a particular constituent godown is to be watched may be a temporary work. A person appointed in that place cannot be said to be a casual one. Though it was also the contention of Mr. K. Satyanarayana that atleast half of the godown watchmen are to be made permanent and in that context he relied upon Supreme Court reported in 1962 (I) LLJ, page 218, as already noted above it is not the scope of the reference nor the function of the Tribunal in a case like this to embark upon a roaming enquiry. In the ruling of the Supreme Court there was a demand for making the workmen doing cement packing as permanent and on the facts of that case 50 per cent of the workmen were ordered to be made permanent. In fact if I may say so the question of the strength of the compliment of Godown Watchmen which the Bank ought and must maintain on its regular rolls would be a matter of a thorough enquiry if any demand is raised in that behalf. The present question is only whether the claimant was a casual workman or temporary workman I have already answered the question that he does not become a casual workman merely because he was paid daily or weekly wages, for the reason that though in relation to constituents the work done by the claimant was of a temporary nature but from the Banks point of view, the work of a Watchman is of permanent character as that is a part and parcel of the Banks business.

9 Having held that the breaks in the service of the claimant are artificial and that his services from 8th November 1974 to 19th November 1974 being held to be continuous and even the earlier services being held to be continuous the belief that is to be moulded falls for consideration. From 8th January 1974 to 19th November 1974 the workman has completed more than six months of service at the minimum. If the earlier period from August 1970 to 29th December 1973 is also taken into consideration the total period of claimants service would be more than four years. It is true that the services of the claimant stand terminated in view of the last

appointment order. The grievance of the workman himself is that his past service ought to have been taken into consideration. Since it is held by the Tribunal that his services were continuous in fact and that breaks are artificial, the relief that can be granted is now to be considered. In this context the contention of the workman is that he was entitled to be made permanent in view of the bipartite Settlement. The Bipartite Settlement came into effect on 19th October 1966. A temporary employee is also defined therein which means a workman who has been appointed for a limited period for work which is of an essentially temporary nature or who is employed temporarily as an additional workmen in connection with the temporary increase in work of a permanent nature and includes a workman other than permanent workman who is appointed in temporary vacancies caused by absence of a particular permanent workman. Para 20.8 occurring in Chapter 20 relied upon by the workman is of little help to him, which only says that a temporary workman may also be appointed to fill the permanent vacancy provided that such a temporary appointment shall not exceed a period of three months. This para refers there being a permanent vacancy which means that there must be a permanent post on the rolls of the Bank so that that vacancy can be filled up by appointing a temporary workman whose appointment does not exceed three months. Paras 20.9 and 20.10 are with regard to the permanency of temporary workmen on the date of the Settlement or otherwise but they specifically exclude the Godown Keeper or a Watchman. As noted above the work turned out by the claimant with regard to particular constituent cannot be said to be a permanent vacancy so that he could claim benefit of Para 20.8 of the Bipartite Settlement. It was however the contention of Mr. Satyanarayana the learned counsel for the workman that the claimant in view of his service was also entitled to one month's notice or one month's pay and gratuity as per Section 40 of the Shops and Establishments Act. His stress however was that in view of the continuous service the workman was entitled to be regularised. It is however conceded by him that on the date of his first appointment in August 1970 he was nearly aged 30 and that he was not qualified having passed 8th class. But his contention is that having kept the claimant in service for more than four years two months, the Respondent is estopped from saying that he is not entitled to continue in service for the reason that he does not hold the necessary qualifications. He placed reliance in support of the argument of equitable estoppel on a ruling of the High Court of Andhra Pradesh reported in 1965 (II) Andhra Weekly Report page 437. Sri Srinivasamurthy the learned counsel firstly urged that in view of the Circular Ex. M9 the claimant was not eligible for recruitment even in the year 1970. It is true that with regard to subordinate cadre in cities of Hyderabad a pass in 8th Standard was prescribed as the educational qualification and 25 years of age as the age qualification. As per the deposition of the workman himself it would appear that he passed 7th class but failed 8th class. On the date of his deposition in the year 1976, he has shown his age 35 which means in the year 1970 he was 29 or nearing 30. If I may say so the age qualification or the educational qualification does not appear to be an absolute one. It is true that the Management has the right to formulate its own policies with regard to the recruitment but the very circular lays down that in exceptional cases of outstanding Sportsmen and at the absolute discretion of the Head Office the conditions are relaxable. It would thus appear that the Head office has the right to relax the conditions. Since the workman has put in a service of four years two months (ignoring the artificial breaks in the service) it appears to me just and reasonable to give a direction to the Management to consider his case for continuation of his service by relaxing the conditions. I have already noted the evidence of M.W. 1 to the effect that his evidence is not positive that the watch work at the godown of Jay Industries has come to an end. The breaks given in the service of the workman are not only artificial but also malafide. It is however really moot point whether in view of the last termination order fixing the date of termination the workman is still entitled to any notice as per the provisions of Section 40 of the Shops and Establishment Act but it can be contended that if a notice is not possible atleast payment of one month's wages in lieu of notice is a prerequisite. Assuming for a moment Section 40 of the Shops and Establishments Act has no application, the question still would be whether a workman having put in four years and two months service is to be left at the mercy of Management or employer though the appointment is temporary. In the absence of any denial by M.W. 1 that the watch work at Jay Industries has ceased to be there, the termination of the

services of the workman appear to be unjustified. There is also no knowing whether the same work is now available at Jay Industries. The workman has also not come forward with any material in that regard. Thus though on the date of the termination of his services it could as well be said that this very workman would have been continued as a watch at that very godown, that relief cannot be now granted, in the absence of evidence that the watch work at that Godown is still available. Though it was the contention of the learned counsel Mr. Srinivasamurthy that there is no principle or provision of law entitling a casual workman to reinstatement simply because he was so employed on more than one occasion or he so worked for a long period of time, that proposition of law is not attracted to this case as the claimant workman is not a casual workman but a temporary workman in relation to a permanent nature of the work of the Bank. Having regard to the peculiar circumstances of the case I am inclined to give a direction to the Management to consider the case of the claimant for appointment relaxing the conditions and treat his appointment as a regular one from the date of his first appointment. In the event of the Management appointing him as a permanent godown keeper from the date of his first appointment, the claimant would be entitled to only 1/4 of his wages from 19th November 1974 onwards till the date of his being taken back into service. In case the Management does not choose to relax the condition or take him back into service, it is ordered that the claimant would be entitled to 12 months salary as compensation. In awarding compensation I have borne in mind the ruling of the Supreme Court reported in 1964(I) LLJ, page 398 wherein the termination of the service of a probationer only after four months of her service during the probationary period of six months was held to be malafide and the compensation was reduced to one year.

9. In the result Award is passed giving a direction to the Management to relax the qualifications for recruitment of the claimant as a Godown Keeper from the date of his first appointment and that in case of appointing him as a regular Godown Keeper from 19th August 1970, to pay to the claimant 1/4 of his salary from November 1974 to the date of his joining duty again and in default of the above Clause to pay one years salary as compensation to the claimant.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 5th April, 1976.

APPENDIX OF EVIDENCE

Witnesses Examined

For Workman :

W.W. 1 Sri Jagath Pershad

M.W. 1 Sri C. Purnachandra Rao
DOCUMENTS EXHIBITED FOR WORKMAN :

- Ex. W1 Appointment letter dt. 15-5-73 of Sri Jagath Pershad as Watchman on daily wages basis at State Bank of Hyderabad city branch.
- Ex. W2 Service particulars of Sri Jagath Pershad, Temporary Watchman at City Branch from August 1970 to June 1973.
- Ex. W3 Termination Order dt. 29-12-1973 of Sri Jagath Pershad, Temporary Godown Watchman.
- Ex. W4 Letter of Sri Jagath Pershad dt. 1-1-74 addressed to the General Manager, State Bank of Hyderabad requesting for reappointment on previous experience.
- Ex. W5 Appointment Order dt. 8-1-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis from 8-1-1974 to 7-3-1974 at Gunfoundry Office, Hyderabad.
- Ex. W6 Appointment Order dt. 11-3-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis from 11-3-1974 to 10-5-1974, at Gunfoundry Office, Hyderabad.
- Ex. W7 Appointment Order dt. 13-5-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis from 13-5-1974 to 12-7-1974, at Gunfoundry office, Hyderabad.

Ex. W8 Appointment Order dt. 14-5-1974/1-6-1974 of Sri Jagath Pershad as Godown Chowkidar on temporary basis from 14-5-1974 to 13-7-1974 at Gunfoundry Office, Hyderabad.

Ex. W9 Appointment Order dt. 17-7-1974 of Sri Jagath Pershad as Godown Watchman on purely temporary basis from 17-7-1974 to 16-9-1974, at Gunfoundry office, Hyderabad.

Ex. W10 Appointment order dt. 20-9-1974/1-11-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis from 20-9-1974 to 19-11-1974 at Gunfoundry Branch, Hyderabad.

Ex. W11 True Copy of the Representation dt. 29-4-1974 of Sri Jagath Pershad to the Commissioner of Labour, Hyderabad showing the particulars of days for which he was employed from August, 1970 to September, 1974.

DOCUMENTS EXHIBITED FOR MANAGEMENT :

Ex. M1 Copy of the Appointment Order dt. 15-5-1973 of Sri Jagath Pershad as Watchman on daily wages basis, at State Bank of Hyderabad City Branch.

Ex. M2 Copy of the Appointment Order dt. 8-1-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis for a period of two months from 8-1-1974 to 7-3-1974 at Gunfoundry Branch, Hyderabad.

Ex. M3 Copy of the Appointment Order of Sri Jagath Pershad a Godown Chowkidar on purely temporary basis for a period of two months from 11-3-1974 to 10-5-1974 at Gunfoundry Office, Hyderabad.

Ex. M4 Copy of the Appointment Order dt. 14-5-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis for a period of two months from 14-5-1974 to 13-7-1974 at Gunfoundry Office, Hyderabad.

Ex. M5 Copy of the Appointment Order dt. 17-7-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis for a period of two months from 17-7-1974 to 16-9-1974 at Gunfoundry Office, Hyderabad.

Ex. M6 Copy of the Appointment Order dt. 20-9-1974/1-11-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis for a period of two months from 20-9-1974 to 19-11-1974 at Gunfoundry Office, Hyderabad.

Ex. M7 Letter of Sri Jagath Pershad dt. 3-12-1974 addressed to the Manager, State Bank of Hyderabad, Gunfoundry Office, requesting to appoint as a Godown Chowkidar or Watchman.

Ex. M8 Letter of Sri Jagath Pershad dt. 28-12-1973 addressed to the General Manager, State Bank of Hyderabad, Gunfoundry Office, requesting to appoint as a Watchman on considering the previous duties.

Ex. M9 Circular dt. 20-4-1970 applies for certain requisite qualifications and age for the appointment of clerks, cashiers-cum-Godown Keepers and poens or chowkidars.

INDUSTRIAL TRIBUNAL.

[No. L-12012/105/75/DII(A)]

R. KUNJITHAPADAM, Under Secy.

मार्गशीर्ष

नई विल्ही, 28 फरवरी, 1976

का०आ० 1703.—केन्द्रीय सरकार की गय है कि इससे उपाबद्ध अनुसूची में विनिविष्ट विषयों के बारे में ईस्टर्न कॉल फील्ड्स लिमिटेड की श्यामसुन्दरपुर कॉलियरी आकाशर उखरा, जिला बर्द्वान के प्रबन्धताल से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीयोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनियन्त्रण के लिए निर्देशित करना चाहती है;

अतः अब, श्रीयोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (ध) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त प्रधिनियम की धारा 7के के अधीन गठित केन्द्रीय सरकार श्रीयोगिक प्रधिकरण कलकत्ता को न्यायनियन्त्रण के लिए निर्देशित करती है।

अनुसूची

क्या ईस्टर्न कॉलफील्ड्स लिमिटेड की श्यामसुन्दरपुर कॉलियरी के गार्फ़ी कजोरा पिट, आकाशर उखरा, जिला बर्द्वान के प्रबन्धताल का श्री महादेव सोब मॉडल, पम्प खलाती को 1-6-1974 से 12-6-1974 तक विलास भजदूरी के निलम्बित करने की कार्रवाई न्यायोचित थी ? यदि नहीं तो उक्त कर्मकार किम अनुनीत का हक्कदार है ?

[संख्या एल-19012/3/75-डी-III(बी)]

ORDER

New Delhi, the 28th February, 1976

S.O. 1703.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Shyamsundarpur Colliery of Eastern Coal fields Limited, Post Office Ukhra, District Burdwan, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Sarpi Kajora Pit of Shyamsundarpur Colliery of Eastern Coal-fields Limited, Post Office Ukhra, District Burdwan in suspending Shri Mahaddeo Sow Mondal, Pump Khalasi from 1-6-1974 to 12-6-1974 without wages was justified ? If not, to what relief is the said workmen entitled ?

[No. L-19012/3/75/DIII(B)]

आदेश

आ०का० 1704.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिविष्ट विषयों के बारे में निशा कॉलियरी, निधा उपजेल, ईस्टर्न कॉल फील्ड्स लिमिटेड, आकाशर काली पहाड़ी, जिला बर्द्वान के प्रबन्धताल से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीयोगिक विवाद विद्यमान है;

श्रीयोगिक विवाद को न्यायनियन्त्रण के लिए निर्देशित करना चाहती है;

अतः अब, श्रीयोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (ध) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त प्रधिनियम की धारा 7के के अधीन गठित केन्द्रीय सरकार श्रीयोगिक प्रधिकरण कलकत्ता को न्यायनियन्त्रण के लिए निर्देशित करती है।

अनुसूची

क्या ईस्टर्न कोल फील्ड्स लिंग की निधा कोलियरी, निधा उपक्षेत्र, डाकघर काली पहाड़ी, जिला बर्बादान के प्रबन्धतांत्र द्वारा नियोजित अधिकारी की सर्वंशी जी० भट्टाचार्य और रामदुलारी कुर्मी को, जो निधा कोलियरी के जेवेल ओवररेन्स हैं, 31-1-1973 से ड्रेड "बी" (हैंड ओवररेन्स) के रूप में नियुक्त करने की मांग, जैसी कि कोयला खनन उद्योग संबंधी केन्द्रीय मजदूरी बोर्ड ने सिफारिश की है न्यायोचित है। यदि हाँ तो उक्त कर्मकार किस अनुतोष के हकदार हैं।

[संख्या एल-19012/30/75-डी-III(बी)]

ORDER

S.O. 1704.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ningha Colliery, Ningha Sub-Area, Eastern Coalfields Limited, Post Office Kalipahari, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDE

Whether the demand of the workmen employed by the management of Ningha Colliery of the Eastern Coalfields Limited, Ningha Sub Area, Post Office Kalipahari, District Burdwan, for placement of Sarva Shri G. Bhattacharjee and Ramdulari Kurmi, Senior Overmen of Ningha Colliery in Grade "B" (Head Overman) as recommended by the Central Wage Board for the Coal Mining Industry, with effect from 31-1-1973 is justified? If so, to what relief are the said workmen entitled?

[No. I-19012/30/75-D-III(B)]

S. H. S. IYER, Section Officer (Spl.)

आदेश

का०आ० 1705.—केन्द्रीय सरकार की राय है कि इससे उपाबन्ध अनुसूची में विनियिष्ट विषयों के बारे में मैसर्स ईस्टर्न कोल फील्ड्स लिमिटेड की निधा कोलियरी, निधा उपक्षेत्र, डाकघर काली पहाड़ी, जिला बर्बादान के प्रबन्धतांत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रौद्धोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चांगलीय समझती है;

अतः, अब, श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (ध) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार श्रौद्धोगिक अधिकरण एवं अम न्यायालय मं. 2, धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या ईस्टर्न कोल फील्ड्स लिमिटेड की निधा कोलियरी डाकघर काली पहाड़ी जिला बर्बादान के प्रबन्धतांत्र की श्री हृषा शंकर शर्मा, लिपिक ग्रेड III को लिपिक सम्बन्धी ग्रेड II में नियुक्त न करने की कार्रवाई

न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुतोष का और किस तारीख से हकदार है?

[संख्या एल-19012/46/75-डी-III(बी)]

एस०एच०एम० प्रधार, प्रधार, प्रधार, प्रधार (विशेष)

ORDER

S.O. 1705.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ningha Colliery, Ningha Sub-Area, of Messrs Eastern Coal fields Limited, Post Office Kalipahari, District Burdwan and their workmen in respect of the matters; specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDE

Whether the action of the management of Ningha Colliery of Eastern Coal fields Limited, Post Office Kalipahari, District Burdwan, is not placing Shri Kripa Shankar Sharma, Clerk Grade III, in Clerical Grade II, is justified? If not, to what relief is the said workman entitled and from what date?

[No. L-19012/46/75/DIII(B)]

S. H. S. IYER, Section Officer (Spl.)

आदेश

नई विल्सी, 5 मार्च, 1976

का०आ० 1706.—केन्द्रीय सरकार की राय है कि इससे उपाबन्ध अनुसूची में विनियिष्ट विषयों के बारे में मैसर्स भारत कोल लिमिटेड की गनदृष्टि कोलियरी, धनबाद के प्रबन्धतांत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रौद्धोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चांगलीय समझती है;

अतः, अब, श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (ध) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार श्रौद्धोगिक अधिकरण एवं अम न्यायालय मं. 2, धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स भारत कोल लिंग की गनदृष्टि कोलियरी डाकघर श्रिया, जिला धनबाद के प्रबन्धतांत्र की, श्री जोगेश्वर सिंह विल कलर्क की सेवाएं 4 जुलाई, 1975 से समाप्त करने की कार्रवाई न्यायोचित है? यदि नहीं तो कर्मकार किस अनुतोष का हकदार है?”

[सं० एल-20012/177/75-डी-IIIए]

ORDER

New Delhi, the 5th March, 1976

S.O. 1706.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers

in relation to the management of Ganhoodih Colliery of Messrs Bharat Coking Coal Limited Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal cum Labour Court No. 2 Dhanbad constituted under section 7A of the said Act.

SCHEDULE

“Whether the action of the management of Ganhoodih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Jharia Distt. Dhanbad in dismissing the services of Shri Jogeshwar Singh, Bill Clerk with effect from 4th July, 1975 is justified? If not, to what relief the workman is entitled?”

[No. L-20012/177/75-D. IIIA]

New Delhi, the 11th May, 1976

S.O. 1707.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Kedla Jharkhand Collieries, Hazaribagh and their workmen, which was received by the Central Government on the 19-4-1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRÉSENT :

Shri K. K. Sarkar, Judge Presiding Officer.

Reference No. 8 of 1974

In the matter of an industrial dispute u/s 10(1)(d) of the Industrial Disputes Act, 1947

PARTIES :

Employers in relation to the management (Receiver) of Kedla Jharkhand Collieries, Hazaribagh (Bihar).

AND

Their workmen.

APPEARANCES :

On behalf of the employers (Receiver)—Shri S. S. Mukherjee, Advocate.

On behalf of Central Coal Fields Ltd.—Shri T. P. Choudhury, Advocate.

On behalf of the workmen—Shri B. Joshi, Advocate.

State : Bihar

Industry : Coal.

Dhanbad, 15th April, 1976

AWARD

This reference was sent by the Government of India, Ministry of Labour to this Tribunal u/s 10(1)(d) of the Industrial Disputes Act, 1947 by their order No. 20012/146/73-LRII dated 16-1-74 for adjudication of the industrial dispute involved with the following issues framed:

“Whether the management (Receiver) of Jharkhand colliery, Hazaribagh was justified in terminating the services of Shri Ashok Kumar Sinha, Store Keeper with effect from the 13th August, 1973? If not to what relief is he entitled?”

The employers and the workmen filed their respective written statements in this case. Thereafter on the prayer of the workmen Coal Mines Authority/National Coal Development Corporation were impleaded as party who also filed their written statement. The case proceeded along. Then again in view of the changed circumstances Central Coalfields Ltd. was impleaded as a party on the prayer of the workmen and they adopted the written statement already filed by Coal Mines Authority/National Coal Development Corporation. The evidence in this case was practically finished. On 19-3-76 the case was fixed for argument of parties. On that date Shri T. P. Choudhury, Advocate representing Central Coalfields Limited, Shri S. S. Mukherjee, Advocate representing the Receiver and Shri B. Joshi, Advocate representing the workmen appeared before this Tribunal and a memorandum of settlement was filed with the prayer that there was no more any dispute between the parties and an award be passed accordingly in terms of the settlement. It appears from the memorandum of settlement that the concerned workman has already obtained employment under Coal Mines Authority/National Coal Development Corporation presently designated as Central Coalfields Limited at Kedla colliery. The concerned workman has given up his claim for back wages. The settlement as filed before me is accepted without any objection from the parties present before me.

In the result I make an award in respect of the industrial dispute involved in this reference in terms of the memorandum of settlement which do form part of the award as Annexure A.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

Ref. No. 8 of 1974

Employers in relations to the Management (Receiver) Kedla-Jharkhan Collieries.

AND

Their workmen.

The parties above named have amicably settled the dispute in the above reference pending before the Hon'ble Tribunal without prejudice to the respective containance to the parties.

1. That Shri Ashok Kumar Singh, the concerned workmen, has already obtained employment under C.M.A. Ltd./NCDC Ltd. presently designated as C.C. Ltd. at Kedla Colliery.

2. That the period of idleness from the date of his termination till the date of re-employment will be treated as Leave Without Wages.

3. That the concerned workmen will not claim any back wages or any other convention for the period of his idleness from the date of his termination till the date of his re-employment.

4. That there remains no dispute between the parties which needs further adjudication.

It is, therefore, humbly prayed that this compromise may kindly be recorded and Award passed in terms thereof.

For Workmen

A. K. SINGH

Concerned Workmen.

B. JOSHI,

Advocate

For Employers

Agent of Receiver

S. S. MUKHERJEE,

Advocate

K. K. SARKAR, Presiding Officer.

[F. No. L-20012/146/73-LR. II/D-III A]

R. P. NARULA, Under Secy.

प्रतिनिधित्व संयुक्त खदान मजदूर संघ, नन्दिनी माइन्स, जिला दुर्ग करती है, एक ग्रोथोगिक विवाद विद्यमान है;

और, यह, उक्त नियोजकों और कर्मकारों ने ग्रोथोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्ति के माध्यस्थम् के लिए निर्देशित करने का कारार कर लिया है और उक्त माध्यस्थम् करार की एक प्रति केन्द्रीय सरकार को भेजी गई है।

यह, ग्रोथोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थम् करार को, जो उसे 26 अप्रैल, 1976 को मिला था, एतद्वारा प्रकाशित करती है।

(करार)

(ग्रोथोगिक विवाद प्रधिनियम, 1947 की धारा 10क के अधीन)

पक्षकारों के नाम:

नियोजकों का प्रतिनिधित्व करने वाले 1. श्री ए. के. औधरी, उपकार्मिक प्रबंधक (खान), भिलाई स्टील प्लाट।
 2. श्री आर० पी० भिल, महायक कार्मिक प्रबंधक (भाई० आर० माईन्स), भिलाई स्टील प्लाट-2
 3. श्री एस० के० सेठ, वरिष्ठ कार्मिक प्रधिकारी (खान) भिलाई स्टील प्लाट।
 4. श्री एन० एस० नायर, अध्यक्ष, संयुक्त खदान मजदूर संघ, नन्दिनी खान, जिला दुर्ग (मध्य प्रदेश)
 5. श्री छी० के० राव, सचिव, संयुक्त खदान मजदूर संघ, नन्दिनी खान, जिला दुर्ग (मध्य प्रदेश)।

कर्मकारों का प्रतिनिधित्व करने वाले

(1) विनियिट विवादप्रस्त विषय: “या श्री वी० वी० दानक के साथ कार्यकारी पद पर ग्रोथोगिक के मामले में कोई भेद-भाव किया गया था? यदि हाँ, तो कह किस अनुतोष का हकदार है?”
 (2) विवाद के पक्षकारों का विवरण, प्रबंध संघ, भिलाई स्टील प्लाट (खान) जिसमें अंतर्वित स्थापन या उपकरण का नाम और पता भी सम्मिलित है।
 (3) कर्मकार का नाम यदि वह स्वयं विवाद में अस्वीकृत है या यदि कोई संघ प्रश्नगत कर्मकार का प्रतिनिधित्व करता हो तो उस का नाम।
 (4) प्रभावित उपकरण में नियोजित कर्मकारों की कुल संख्या

(5) विवाद द्वारा प्रभावित या संभावित:

प्रभावित होने वाले कर्मकारों की प्राक्कलित संख्या

67

मध्यस्थ अपना पंचाट तीन मास की कालावधि या इतने और समग्र के भीतर जो हमारे बीच पारस्परिक सिविल करार द्वारा बढ़ावा जाय, देगा। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जासा तो माध्यस्थम् के लिए निर्देश स्वतः रद्द हो जायेगा और हम नए माध्यस्थम् के लिए बान्धीत करने को स्वतन्त्र होंगे।

पक्षकारों के इस्ताबर
नियोजकों का प्रतिनिधित्व करने वाले कर्मकारों का प्रतिनिधित्व करने वाले

| | |
|---------------------------------|--|
| ह०/- (ए० के० औधरी) | ह०/- (एन० एस० नायर) |
| उप कार्मिक प्रबंधक (खान) | अध्यक्ष, संयुक्त खदान मजदूर संघ (एट्क) |
| ह०/- (आर० पी० सिह) | नन्दिनी खान, जिला दुर्ग (म० म०) |
| सहायक कार्मिक प्रबंधक | ह०/- (डी० के० राव) |
| (भाई० आर० खान) | सचिव, संयुक्त खदान मजदूर संघ, (एट्क), नन्दिनी खान, जिला दुर्ग (म० प्र०)। |
| ह०/- (एस० के० सेठ) | |
| वरिष्ठ कार्मिक प्रधिकारी (खान)। | |
| साक्षी: | |

| | |
|---|--|
| 1. ह०/- (टी० एस० राव) | स्वीकृत |
| 2. ह०/- (आर० सी० सूब), भिलाई ता० 4-1976 | ह०/- (वी० सुभामी) 21/4/76 उप-महाप्रधीकार, भिलाई स्टील प्लाट, हिन्दुस्तान स्टील लिमिटेड। |
| [संधा एल-260/3(2)/76-झ-4 (झ)] | |
| शूपन्द्र नाथ, अनुभाग प्रधिकारी (विशेष) | |

ORDER

New Delhi, the 5th May, 1976

S.O. 1709.—Whereas an industrial dispute exists between the management of Bhilai Steel Plant (Mines), Hindustan Steel Limited, Bhilai and their workmen represented by Samyukta Khadan Mazdoor Sangh, Nandini Mines, District Durg;

And whereas the said management and their workmen have by a written agreement in pursuance of the provisions of sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer the said dispute to arbitration of the person mentioned therein and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement which was received by it on the 26th April, 1976.

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

NAME OF THE PARTIES

Representing Employer :

- Shri A. K. Chawdhary, Dy. Personnel Manager (Mines), Bhilai Steel Plant.
- Shri R. P. Singh, Asstt. Personnel Manager (I. R. Mines) Bhilai Steel Plant.
- Shri S. K. Seth, Sr. Personnel Officer (Mines), Bhilai Steel Plant.

Representing Workmen :

1. Shri N. S. Nair, President, Samyukta Khadan Mazdoor Sangh, Nandini Mines, Distt. Durg (M.P.).
2. Shri D. K. Rao, Secretary, Samyukta Khadan Mazdoor Sangh, Nandini Mines, Distt. Durg (M.P.).

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri V. Subramony, Dy. General Superintendent, Bhilai Steel Plant, Bhilai :—

(i) Specific matters in dispute.—"Was any discrimination shown to Shri B. B. Danak, in the matter of promotion to executive post? If so, to what relief he is entitled to?"

(ii) Details of the parties to the dispute including the name and addresses of the establishment or undertaking involved—The Management of Bhilai Steel Plant (Mines), Hindustan Steel Limited, Bhilai, Durg. (M.P.).

(iii) Name of the workman in case he himself is involved in the dispute or the name of the Union, if any, representing the workman in question.—Samyukta Khadan Mazdoor Sangh, (AITUC) Recognised Union in Mines, Nandini Mines, Distt. Durg. (M.P.).

(iv) Total number of workmen employed on the undertaking effected.—Direct 3014, Indirect—Nil.

(v) Estimated number of workmen effected or likely to be effected by the dispute.—67.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signatures of the Parties

Representing Employer :

Representing Workmen

| | |
|-------------------------------------|---|
| Sd/- | Sd/- |
| (A. K. CHAWDHARY) | (N. S. NAIR) |
| Dy. Personnel Manager (Mines) | President |
| Samyukta Khadan Mazdoor Sangh | |
| (AITUC), | |
| Sd/- | Sd/- |
| (R. P. SINGH) | Nandini Mines, Dist. Durg (M.P.) |
| Asstt. Personnel Manager (IR Mines) | (D. K. RAO) |
| Sd/- | Sd/- |
| (S. K. SETH) | Secretary, |
| Sr. Personnel Officer (Mines) | Samyukta Khadan Mazdoor Sangh, (AITUC), |
| Nandini Mines, Distt. Durg. (M.P.). | |

Witnesses :

| | |
|-----------------------------|----------|
| 1. Sd/- (T. S. Rao) | Accepted |
| 2. Sd/- (R. C. Sud) | Sd/- |
| (V. SUBRAMONY) 21-4-76 | |
| Dy. General Superintendent, | |
| Bhilai Steel Plant, | |
| Hindustan Steel Limited. | |

Bhilai,

[No. L-26013(2)/76-D-IV(B)]

21-4-76 BHUPENDRA NATH, Section Officer (Spl.)

New Delhi, the 10th May, 1976

S.O. 1710.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of the Calcutta

Port Trust, Calcutta and their workmen, which was received by the Central Government on the 4th May, 1976.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 61 of 1975

PRESENT:

Justice E. K. Moidu, Presiding Officer.

REFERENCE NO. 61 OF 1975

PARTIES :

Employers in relation to the Calcutta Port Trust, Calcutta

AND

Their Workmen

APPEARANCES :

Relation Officer.

On behalf of Employers—Shri S. M. Banerjee, Labour Adviser and Industrial Relations Officer with Shri S. P. Naha, Deputy Labour Adviser and Industrial Relation Officer.

On behalf of Workmen—Shri A. L. Roy.

STATE : West Bengal

INDUSTRY : Port & Dock

AWARD

The Government of India, Ministry of Labour, by its Order No. L-32011/21/75-D. IV(A) dated 10th September, 1975, referred an industrial dispute existing between the employers in relation to the Calcutta Port Trust, Calcutta and their workmen to this tribunal for adjudication. The reference reads as :—

"Whether the demand of the workmen of Senior Shipwright Section of Calcutta Port Trust for supply of rain coats is justified? If so, on what scale and from what date?"

2. In response to the summons issued by this Tribunal, the Employers filed their written statement on 4-11-1975 but the Union on behalf of the workmen did not file any written statement. The case was then posted for peremptory hearing today.

3. Today when the case was taken up for hearing, the General Secretary of the Union filed an application praying to withdraw the Reference with liberty to move the Government for a fresh Reference as according to them the present reference is incomprehensive and will prejudice the workmen if finally disposed of. The Employers have no objection to the prayer.

4. In view of the circumstances, the reference is withdrawn as dismissed with liberty to the Union to move the Central Government for a fresh comprehensive reference.

Dated, Calcutta, the 30th April, 1976.

E. K. MOIDU, Presiding Officer

[No. L-32011(21)/75-D. IV (A)]

NAND LAL, Section Officer (Spl.)

New Delhi, the 12th May, 1976

S.O. 1711.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Madras in the industrial dispute between the employers in relation to the South Indian Bank Limited, Trichur and their workmen, which was received by the Central Government on the 3rd May, 1976.

BEFORE THIRU T. PALINIOOPPAN, B.A., B.L;

Presiding Officer

Industrial Tribunal, Madras.

(Constituted by the Central Government)

Saturday, the 17th day of April, 1976.

Industrial Dispute No. 5 of 1975

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the management of South Indian Bank Ltd., Trichur-1).

BETWEEN

The workmen represented by

The General Secretary,

South Indian Bank Employees Association, Central Office, Post Office Road, P. N. No. 131, Trichur-1.

AND

The Chairman, South Indian Bank Ltd., Head Office,

P. B. No. 28, Trichur-1, Kerala State.

Reference :

Order No. L-12012/25/74/LRIII, dated 18-1-1975 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Friday, the 26th day of March, 1976 upon perusing the reference, claim and counter statements and all other material paper on record and upon hearing the arguments of Thiru R. Jamal Nazeem, Advocate appearing for the workmen and of Thiru R. Venugopalan, Advocate for the management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

By order No. L-12012/25/74/LRIII, dated 18th January, 1975, the Government of India, Ministry of Labour have referred the following dispute between the workmen and the management of the South Indian Bank Limited, Trichur for adjudication by this Tribunal.

2. The issues are as follows :

- (1) Whether the action of the management of the South Indian Bank Limited, Head Office, Trichur, in denying promotion to Shri M. O. Davis, subordinate in the bank with effect from the 1st October, 1973 as per the terms of agreement dated the 23rd November, 1968 is justified ?
- (2) Whether the action of the management of the South Indian Bank Limited Head Office, Trichur, in denying promotion to a qualified subordinate as per agreement dated the 20th August, 1973 on the plea that twenty subordinates inclusive of Shri M. O. Davis have already been promoted to the clerical cadre in terms of the said agreement, is justified ?
- (3) If not, to what relief are the employees entitled ?

3. The General Secretary of the claimant union has filed a claim statement alleging that Shri M. O. Davis entered the Bank's service as a peon in 1966 and he passed the S.S.L.C. in the year 1973 and that as per the settlement dated 22-11-1968 he is entitled for promotion as a clerk from 1-10-1973 but the management without giving promotion asked him to sit for written test on the basis of the settlement 23-11-1968. The Union alleges that the Bank is not entitled to rely on the agreement dated 20-8-1973 because the 1968 settlement was still in force on the date when Shri M. O. Davis became entitled to promotion and so the Bank should be directed to treat Shri M. O. Davis as having been promoted as a clerk from 1-10-1973 and give all the benefits arising thereunder.

4. The management has filed a counter statement contending that the agreement of 20-8-1973 has superseded all previous agreements relating to the promotion of subordinate staff to clerical cadre. The agreement of 23-11-1968, lays down the procedure for promotion to clerical cadre for the year 1973. The next contention is that there was no denial of promotion to Shri M. O. Davis; that the eligibility for promotion and entitlement for the post are entirely different and that all the promotions to the clerical cadre during the year 1973 were subject to the terms of the agreement dated 20-3-1973. The management also contends that the agreement dated 20-8-1973 prescribes the conditions and methods of promotion to the twenty posts of clerical cadre which were to be made during the year 1973, and the grievance alleged is more imaginary than real and that is the reason why the union has not mentioned the name of the so called qualified person to whom promotion was denied.

5. Issues 1, 2 and 3. These three issues are taken up together for the sake of convenience and also because of the main point to be discussed in all the three issues is the same. Shri M. O. Davis, W.W. 2 was examined to show that he was first appointed on 21-3-1966 in the respondent bank as peon and he was confirmed as subordinate staff in September, 1966 and that he passed the S.S.L.C. examination held in March, 1973 and that he completed 7 years of service by 30-9-1973 and that he became entitled to be promoted from 1-10-1973 and that he was not given promotion from 1-10-1973 but he was given promotion only after he passed the written test. The Union also examined Shri S. Thillaivanan, W.W. 1 to show that the management did not promote Shri H. O. Davis on 1-10-1973 and that the bank should have strictly observed the terms and conditions of the settlement, the original of Ex. W-1 dated 23-11-1968. Shri S. Thillaivanan, W.W. 1 was also examined to show that W.W. 2 need not sit for written test and Ex. W-1 does not prescribe written test and Ex. W-1 is still in force. In short, the grievance of the complainant is that the bank instead of enforcing the terms and conditions of the settlement Ex. W-1 enforced the terms and conditions of the settlement, the original of Ex. M-2 and thus there was denial of promotion to him from 1-10-1973. The evidence of W.W. 1 is that Ex. W-1 has not been superseded or modified by any later agreement and Ex. W-1 has not been terminated by any notice. It is true that Shri M. O. Davis was promoted to the clerical cadre only after he passed the written test as contemplated in the original of Ex. M-2, dated 20-8-1973.

6. The short point that arises for determination under this issue is, whether Ex. W-1 the memorandum of settlement dated 23-11-1968 arrived at between the South Indian Bank Employees' Association and the South Indian Bank Limited, Trichur will govern the rights and liabilities of the parties to this reference. It is true that in Ex. W-1, the recruitment policy of the Bank to the subordinate cadre has been set out. The council for the Union laid emphasis on clause (2) para (3) under the heading 'qualifications in Ex. W-1. It shows that if a person after his appointment successfully complete S.S.L.C. examination will be promoted to the Clerical Cadre, if he puts in a minimum service of 7 years, after confirmation. The case of the complainant is that he was confirmed on 1-10-1973 and so he should have been promoted automatically as a clerk on 1-10-1973. In reply to this argument, the learned counsel for the Management referred to me to Ex. M-2 which is the copy of the memorandum of settlement dated 20-8-1973. It is a memorandum of settlement arrived at between the management of the South Indian Bank Limited and All Kerala Bank Employees Federation and South Indian Bank Employees Association. Clause (A) of that agreement relates to the conditions and method of promotion to the 20 posts for which promotion had to be made in the year 1973. Clause A sub-clause (1) of that agreement shows that all those who have a service of 7 years or more will be eligible to sit for a written test, and clause A sub-clause (2) shows that the minimum marks that will be insisted upon for promotion will be 20 per cent in the written test in modification of the existing agreement dated 3-3-1973. Thus this agreement contemplates a written test even if subordinate staff had put in a service of 7 years. The learned counsel for the Union argued that Ex. M-2 does not show that the agreement Ex. W-1 has been superseded or modified. Even though there is no express recital in Ex. M-2 to the effect that the agreement Ex. W-1 dated 23-11-1968 has been superseded or modified, the very fact of the Union and the management entering into a fresh agreement Ex. M-2 dated 20-8-1973 shows that there was an implied termination or supersession of the earlier agreement. Unless the earlier agreement Ex. W-1 had been super-

seded there would be no meaning in entering into a fresh settlement under Ex. M-2 relating to the promotion to the 20 posts of subordinate staff in the year 1973. Sri S. Thillaivanan, W.W. 1 is the Vice-President of the Union was confronted with Ex. M-2. He admitted in the course of the cross-examination to the effect that their Union and the Federation to which their Union was affiliated were parties to Ex. M-2 and that the terms and conditions of Ex. M-2 were known to the Union when they signed in the agreement; that in 1973, 20 persons were promoted from the subordinate cadre to the clerical cadre; that nobody was promoted after the date of Ex. M-2 without sitting for the examination; that in the year 1973 there were no promotions from the subordinate cadre to clerical cadre other than those 20 subordinates and that those 20 promotions in 1973 were done after the concerned candidate passed in the examination conducted by the management. Thus these answers elicited by the counsel for the management in the course of the cross-examination of W.W. 1 clearly shows that the Bank was enforcing only the terms and conditions of settlement Ex. M-2 after superseding or cancelling the earlier agreement Ex. W-1. It is the case of Sri M. O. Davis, W. W. 2 that he became eligible for promotion on 1-10-1973 and that the Bank had given promotion to the subordinate staff in the year 1973 only after they passed the written test. It is the conclusive factor for coming to the conclusion that in the year 1973, Ex. W-1 was not in force. Further it cannot be said that there was any discrimination against Sri M. O. Davis because the promotions in 1973 were given only after the concerned subordinate staff passed the written test even though they had put in 7 years of service. So it can be safely held that the terms and conditions of Ex. M-2 alone will govern the rights and liabilities of Sri M. O. Davis.

7. Sri S. Thillaivanan, W.W.1 deposed that Ex. W-1 is still in force and that Ex. W-7 evidence the same and that it is a Board Note. W.W.1 was cross-examined with regard to Ex. W-7, the alleged Board Note. In the course of the cross-examination, he has admitted that in the list of documents filed in the Court, Item No. 7 is shown as Promotion Policy and that he was aware of the fact that a copy of the Board Note was produced; that there is no reason as to why they did not state item No. 7 as Board Note; that in the list of documents supplied to the Management it is stated that item No. 7 is not available; that he has not seen the original of Board Note (i.e.) Ex. W-7; that he was not award whether anybody compared the Board Note Ex. W-7 with the original. His evidence further discloses that he does not know how the Union came into possession of the alleged Board Note Ex. W-7. He has also admitted that he cannot say whether Ex. W-7 is a true copy of the original Board Notes and that Board Notes are usually confidential matters and that he did not enquire the officials as to how they got Ex. W-7. The learned counsel for the Management very strongly criticised the action of the Union. This Tribunal is not concerned as to how the Union came into possession of the Board Note and it is a matter to be dealt with by the Management against the concerned individual. This Tribunal is concerned only with the limited question, namely, whether the Union mislead this Tribunal by giving wrong facts as to the description of the documents. In the list of documents, Ex. W-7 is shown as Promotion Policy. When Ex. W-7 was perused it was only some notes made for the meeting. Ex. W-7 does not show that Ex. W-1 was still in force and that the Board decided to recruit only as per the terms and conditions of Ex. W-1. Ex. W-7 is only a note made by the office for consideration of the Board and the decision of the Board is not seen in Ex. W-7. The Union should have been fair by giving a correct description of the document and not mislead by giving some wrong description to the document. Anyhow Ex. W-7 does not help the case of the Union.

8. The management has given promotion to the 20 subordinate staff as per the conditions and methods of promotion detailed in Ex. M-2. Under those circumstances, there is no meaning in the contention that there was denial of promotion to qualified subordinate staff and the grievance of the Union is only imaginary. In view of my discussion in the above paragraphs, Issue Nos. 1, 2 and 3 are found against the Union.

9. In the result, there will be an award negating the claims of the Union. There will be no order as to costs.

Dated, this 17th day of April, 1976.

WITNESSES EXAMINED

For workmen

W.W.1-Thiru S. Thillaivanan.
W.W.2-Thiru N.O. Davis.

For Management: Nil.

DOCUMENTS MARKED

For workmen:

Ex. W-1/23-11-68—Memorandum of settlement between parties (copy).
Ex. W-2/1-9-73—Letter from W.W.2 to the Bank requesting for promotion (copy).
Ex. W-3/1-9-73—Letter from Union to the Bank requesting to issue orders promoting W.W. 2 to the clerical cadre (copy).
Ex. W-4/10-9-73—Memo issued to W.W. 2 asking him to appear for the test.
Ex. W-5/21-9-73—Letter from W.W. 2 to the Bank about promotion to clerical cadre.
Ex. W-6/22-9-73—Letter from the Union to the Bank about the promotion of W.W.2.
Ex. W-7—Note of the meeting of the Board held on 21-1-74 (copy).
Ex. W-8/10-1-74—Letter from the Assistant Labour Commissioner (Central) Ernakulam to the Union regarding dispute over the promotion of W.W.2.
Ex. W-9/14-1-74—Letter from the Assistant Labour Commissioner (Central) Ernakulam to the Bank requesting the Bank to attend meeting on 17-1-1974.
Ex. W-10/6-2-74—Letter from the Assistant Labour Commissioner (Central) Ernakulam to the parties intimating the date of meeting on 19-2-1974.
Ex. W-11/28-2-74—Conciliation failure report.

For the Management:

Ex. M-1—Memorandum of settlement between parties (copy).
Ex. M-2/20-8-73—Memorandum of agreement between parties (copy).
Ex. M-3/1-9-73—Similar to Ex. W-2 (Copy).
Ex. M-4/1-9-73—Letter from the Union to the Bank regarding allotment of works to drivers (copy).
Ex. M-5/10-9-73—Copy of Ex. W-4.
Ex. M-6/11-9-73—Letter from the Union to the Assistant Labour Commissioner (Central) Ernakulam regarding violation of agreement (copy).
Ex. M-7/21-9-73—Copy of Ex. W-5.
Ex. M-8/22-9-73—Copy of Ex. W-6.
Ex. M-9/1-12-73—Letter from the Assistant Labour Commissioner (Central), Ernakulam to the parties for discussion. (copy).
Ex. M-10/6-12-73—Letter from the Bank to the Assistant Labour Commissioner (Central) Ernakulam requesting to postpone the discussion to 27-12-73 (copy).
Ex. M-11/7-12-73—Letter from the Assistant Labour Commissioner (Central) Ernakulam to the parties asking them to attend for discussion (copy).
Ex. M-12/19-12-73—Letter from the Bank to the Assistant Labour Commissioner (Central), Ernakulam stating that W.W. 2 has been promoted to the clerical cadre. (copy).
Ex. M-13/10-1-74—Copy of Ex. W-8.
Ex. M-14/14-1-74—Copy of Ex. W-9.
Ex. M-15/24-1-74—Letter from the Assistant Labour Commissioner (Central), Ernakulam to the parties requesting the parties to attend the meeting on 5-2-1974 (copy).
Ex. M-16/6-2-74—Letter from the Assistant Labour Commissioner (Central), Ernakulam to the Bank forwarding complaint dated 23-1-1974 is of the Union (copy).
Ex. M-17/27-2-74—Office order transferring W.W.2 to Dindigul Branch of the Bank (Copy).
Ex. M-18/1-3-74—Telegram given by the Assistant Labour Commissioner, Ernakulam to the Bank for keeping the transfer of W.W. 2 in abeyance (copy).

Ex. M-19/7-3-74—Conciliation letter sent to the parties regarding allotment of duties to the drivers (copy).

Ex. M-20/20-3-74—Conciliation failure report (copy).

Ex. M-21/10-4-74—Letter from the Ministry of Labour, Government of India informing the parties about the receipt of Conciliation report (copy).

Ex. M-22/16-8-74—Government's order referring an industrial dispute regarding the transfer of W.W. 2 (copy).

Ex. M-23/12-3-73—Letter from W.W. 2 to the Bank stating that he is willing to work at any of the offices of the Bank (copy).

Ex. M-24/28-2-74—Copy of Ex. W-11.

Ex. M-25/16-3-74—Letter from the Ministry of Labour, Government of India to the parties about the receipt of Conciliation report (copy).

Ex. M-26/4-5-74—Letter from the Ministry of Labour, Government of India to the parties regarding violation of agreement (copy).

T. PALANIAPPAN, Presiding Officer.

Note : Parties are directed to take return of their document/s within six months from the date of the award.

True Copy/Forwarded
(By order)
Sd/-

Head Ministerial Officer,
Industrial Tribunal,
Madras.

[No. L 12012/25/74-LR III]

R. KUNJITHAPADAM, Under Secy.

मंत्रि मंडल सचिवालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई विल्ली, 16 मई, 1976

क्रा० शा० 1712.—भारत सरकार, गृह मंत्रालय की दिनांक 26 अगस्त, 1975 की अधिसूचना संख्या एस० ओ० 452 (ई) के अनुसरण में, केन्द्रीय सरकार एवं द्वारा 16 मई, 1976 को एक ऐसी तारीख नियत करती है जिससे अखिल भारतीय सेवा अधिनियम, 1951 तथा उसके अधीन बनाये गए अनुसूची में दिए गए नियम तथा विनियम मिलकर राज्य में लागू होंगे।

अनुसूची

भाग-I सभी अखिल भारतीय सेवाओं के लिए (सामान्य) नियम।

क्रम संख्या

- अ० भा० स० (छट्टी) नियम, 1955
- अ० भा० स० (विशेष निःशक्ति छट्टी) विनियम, 1957
- अ० भा० स० (अध्ययन छट्टी) विनियम, 1960
- अ० भा० स० (विकिसा परिवर्त्य) नियम, 1954
- अ० भा० स० (भविष्य निधि) नियम, 1955
- अ० भा० स० (प्रतिकरात्मक भत्ता) नियम, 1954
- अ० भा० स० (गांव भत्ता) नियम, 1954
- अ० भा० स० (प्राचरण) नियम, 1968
- अ० भा० स० (प्रनुगासन और प्राचील) नियम, 1969
- अ० भा० स० (मृत्यु तथा सेवानिवृत्त प्रमुखियाएं) नियम, 1958
- अ० भा० स० (पैशन का परिवर्तन) विनियम, 1960

- अ० भा० स० (सेवा की शर्तें- प्रबंधित भाग्य) नियम, 1960
- अ० भा० स० (विदेश बेतन, यात्रा व्यय और छट्टी संबंध) नियम, 1957
- अ० भा० स० (विषय निधि और कुटुम्ब पेशन निधि में विप्रेषण और उनमें से संबंध) नियम, 1958.

भाग-II भारतीय प्रशासन सेवा पर लागू होने वाले नियम ।

- भा० प्र० स० (काड़र) नियम, 1954
- भा० प्र० स० (काड़र सदस्य संघर्ष का नियतन) विनियम, 1955
- भा० प्र० स० (भर्ती) नियम, 1954
- भा० प्र० स० (प्रतियोगिता परीक्षा द्वारा नियुक्ति) विनियम, 1955
- भा० प्र० स० (पदोन्नति द्वारा नियुक्ति) विनियम, 1955
- भा० प्र० स० (चयन द्वारा नियुक्ति) विनियम, 1956
- भा० प्र० स० (परिवीक्षा) नियम, 1954
- भा० प्र० स० (परिवीक्षाधीन व्यक्तियों की अस्तिम परीक्षा) विनियम, 1955

- भा० ब० स० (बेतन) नियम, 1954

- भा० प्र० स० (ज्येष्ठता विनियमन) नियम, 1954

भाग-III भारतीय गुलिस सेवा पर लागू होने वाले नियम II

- भा० पु० स० (काड़र) नियम, 1954

- भा० पु० स० (काड़र सदस्य-संघर्ष का नियतन) विनियम, 1955

- भा० पु० स० (भर्ती) नियम, 1954

- भा० पु० स० (प्रतियोगिता परीक्षा द्वारा नियुक्ति) विनियम, 1955

- भा० पु० स० (पदोन्नति द्वारा नियुक्ति) विनियम, 1955

- भा० पु० स० (परिवीक्षा) नियम, 1954

- भा० पु० स० (परिवीक्षाधीन व्यक्तियों की अस्तिम परीक्षा) विनियम, 1965

- भा० पु० स० (बेतन) नियम, 1954

- भा० पु० स० (ज्येष्ठता विनियमन) नियम, 1954

- भा० पु० स० (वर्दी) नियम, 1954

भाग-IV भारतीय बन सेवा पर लागू होने वाले नियम ।

- भा० व० स० (काड़र) नियम, 1966

- भा० व० स० (काड़र सदस्य संघर्ष का नियतन) विनियम, 1966

- भा० व० स० (भर्ती) नियम, 1966

- भा० व० स० (प्रारंभिक भर्ती) विनियम, 1966

- भा० व० स० (प्रतियोगिता परीक्षा द्वारा नियुक्ति) विनियम, 1967

- भा० व० स० (पदोन्नति द्वारा नियुक्ति) विनियम, 1966

- भा० व० स० (परिवीक्षा) नियम, 1958

- भा० व० स० (परिवीक्षाधीन व्यक्तियों की अस्तिम परीक्षा) विनियम, 1968

- भा० व० स० (बेतन) नियम, 1968

- भा० व० स० (ज्येष्ठता विनियमन) नियम, 1968

[स० 11022/2/75-प्र० भा० स० (1)]

एस० बी० एस० जुनेजा, संयुक्त सचिव

CABINET SECRETARIAT

(Department of Personnel & Administrative Reforms)

New Delhi, the 16th May, 1976

S.O. 1712.—In pursuance of the notification of the Government of India, in the Ministry of Home Affairs No. S.O. 452(E) dated the 26th August, 1975, the Central Government hereby appoints the 16th day of May, 1976, as the date on which the All India Services Act, 1951 and the rules and regulations made thereunder given in the schedule shall come into force in the State of Sikkim.

SCHEDULE

Part I—Rules common to all the All India Services

Sl. No.

1. A.I.S. (Leave) Rules, 1955.
2. A.I.S. (Special Disability Leave) Regulations, 1957.
3. A.I.S. (Study Leave) Regulations, 1960.
4. A.I.S. (Medical Attendance) Rules, 1954.
5. A.I.S. (Provident Fund) Rules, 1955.
6. A.I.S. (Compensatory Allowance) Rules, 1954.
7. A.I.S. (Travelling Allowance) Rules, 1954.
8. A.I.S. (Conduct) Rules, 1968.
9. A.I.S. (Discipline and Appeal) Rules, 1969.
10. A.I.S. (Death-cum-Retirement Benefits) Rules, 1958.
11. A.I.S. (Commutation of Pension) Regulations, 1960.
12. A.I.S. (Condition of Service Residuary Matters) Rules, 1960.
13. A.I.S. (Overseas Pay, Passages and Leave Salary) Rules, 1957.
14. A.I.S. (Remittances into and Payments from Provident and Family Fund), Rules, 1958.

Part II—Rules applicable to the Indian Administrative Service

15. I.A.S. (Cadre) Rules, 1954.
16. I.A.S. (Fixation of Cadre Strength) Regulations, 1955.
17. I.A.S. (Recruitment) Rules, 1954.
18. I.A.S. (Appointment by Competitive Examination) Regulations, 1955.
19. I.A.S. (Appointment by Promotion) Regulations, 1955.
20. I.A.S. (Appointment by Selection) Regulations, 1956.
21. I.A.S. (Probation) Rules, 1954.
22. I.A.S. (Probationers' Final Examination) Regulations, 1955.

23. I.A.S. (Pay) Rules, 1954.

24. I.A.S. (Regulation of Seniority) Rules, 1954.

Part III—Rules applicable to the Indian Police Service

25. I.P.S. (Cadre) Rules, 1954.
26. I.P.S. (Fixation of Cadre Strength) Regulations, 1955.
27. I.P.S. (Recruitment) Rules, 1954.
28. I.P.S. (Appointment by Competitive Examination) Regulations, 1955.
29. I.P.S. (Appointment by Promotion) Regulations, 1955.
30. I.P.S. (Probation) Rules, 1954.
31. I.P.S. (Probationer's Final Examination) Regulations, 1965.
32. I.P.S. (Pay) Rules, 1954.
33. I.P.S. (Regulation of Seniority) Rules, 1954.
34. I.P.S. (Uniform) Rules, 1954.

Part IV—Rules applicable to the Indian Forest Service

35. I.F.S. (Cadre) Rules, 1966.
36. I.F.S. (Fixation of Cadre Strength) Regulations, 1966.
37. I.F.S. (Recruitment) Rules, 1966.
38. I.F.S. (Initial Recruitment) Regulations, 1966.
39. I.F.S. (Appointment by Competitive Examination) Regulations, 1967.
40. I.F.S. (Appointment by Promotion) Regulations, 1966.
41. I.F.S. (Probation) Rules, 1958.
42. I.F.S. (Probationers' Final Examination) Regulations, 1968.
43. I.F.S. (Pay) Rules, 1968.
44. I.F.S. (Regulation of Seniority) Rules, 1968.

[No. F. 11022/2/75-AIS(I)]

S. V. S. JUNEJA, Jt. Secy.

